



**UNITED STATES DISTRICT COURT**

District of New Mexico  
100 N. Church St., Suite 550  
Las Cruces, New Mexico 88001

Chambers of

**GREGORY J. FOURATT**

United States Magistrate Judge

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September 9, 2024

The Honorable Dick Durbin  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Lindsey Graham  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Re: Nomination of Sarah M. Davenport to U.S. District Court, District of New Mexico

Dear Chairman Durbin and Ranking Member Graham:

President Biden recently announced his intention to nominate Sarah M. Davenport to serve as a United States District Judge in the District of New Mexico. For the following reasons, I write to express my *strongest* support of her nomination and confirmation.

I have known Ms. Davenport since 2006, when she worked at the United States Attorney's Office in Albuquerque as a full-time, post-graduate law clerk. I was among the dozen or so Assistant United States Attorneys whose organized crime and drug trafficking caseloads benefited from Ms. Davenport's legal scholarship and dogged work ethic. Whether she was drafting briefs, imposing order on fast-moving wiretap investigations, or helping us prepare for trial, Ms. Davenport manifested total command of the facts of the prosecution as well as a trustworthy understanding of how federal law applied to them. Her contributions to my caseload ensured that my cases were tighter, my blind spots were fewer, and my effectiveness was higher.

Soon enough, Ms. Davenport earned the right to fly the jet herself. At an exceptionally early time in her career as a lawyer, she became a full-time federal prosecutor in the Las Cruces Branch Office of the United States Attorney's Office in New Mexico, where she has remained since. As the crow flies, Las Cruces sits about forty miles north of both El Paso, Texas, and the Republic of Mexico. Consequently, since its inception in the late 1980s, the branch office has maintained a border-generated operations tempo and caseload that are disproportionate to those maintained by the Albuquerque headquarters office. The faster pace and higher case numbers, coupled with uncomfortable proximity to transnational drug and human trafficking organizations,

require a prosecutor to be persistent, intrepid, and versatile. I know from firsthand experience – first as her colleague, then as her U.S. Attorney, and now as a judge before whom she has appeared for the last eight years – that Ms. Davenport has embodied each of those traits and so many more during her service to this District and this Nation as an Assistant U.S. Attorney. Her tailor-made skill set and her intimate familiarity with the geographical, economic, and multicultural diversity of the Southwest Border region make her uniquely well-positioned to serve with distinction as a federal trial judge.

It is a very short list of federal prosecutors who enjoy unanimous approval from the bench, the federal law enforcement community, and *the criminal defense bar*. To have the support for a judgeship from one's teammates and the court is one thing, but to also have it from one's legal adversary is perhaps the highest compliment the profession of law can offer. Yet that is precisely the reception that Ms. Davenport's forthcoming nomination has triggered and speaks volumes about the respect and professionalism that will accompany her to the bench.

Having served for seventeen years in the U.S. Attorney's Office, then as a state public safety cabinet secretary, and now as a United States Magistrate Judge, I have a deep understanding of the qualities that distinguish the best judges. Foremost among these are patience, curiosity, humility, maturity, evenhandedness, forbearance, and a keen appreciation for the complexity and fallibility of the human condition. The best judges strive to make decisions at a time in the litigation when the parties most need them, provide explanations the parties and any reviewing court can understand, and do so with fidelity to governing law and in a spirit of respect and professionalism. The best judges have appropriate regard for the constitutional prerogatives of the other branches of government and confine their decisions to the parties to the case or controversy before them. And the best judges are committed to continuously improving their craft, insisting that they are better in six months at every aspect of judging than they are now, and still better a year from now. Knowing Sarah Davenport as well as I do for as long as I have and having observed her work in and out of court for some eighteen years, I am convinced that soon enough she will be considered among our very best judges.

It is without qualification or hesitation that I give the forthcoming nomination and confirmation of Sarah Davenport my strongest support. I look forward with great anticipation to having her as my colleague again.

Sincerely,



GREGORY J. FOURATT  
United States Magistrate Judge