



HERNALDO J. BALTODANO  
ASSOCIATE JUSTICE

STATE OF CALIFORNIA  
**Court of Appeal**

SECOND APPELLATE DISTRICT  
DIVISION SIX  
200 EAST SANTA CLARA STREET  
VENTURA, CA 93001

(805) 641-4700

May 12, 2023

The Honorable Dick Durbin  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

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

RE: The nomination of the Honorable Ana de Alba to the Ninth Circuit Court of Appeals

Dear Chairman Durbin and Ranking Member Graham:

I enthusiastically submit this letter in support of the nomination of the Honorable Ana de Alba to the Ninth Circuit Court of Appeals. If confirmed, Judge de Alba will instill public confidence and trust in our judiciary and democracy. We need that now. More than ever.

Judge de Alba and I have known each other for over a decade. As lawyers, we both represented underserved communities in the Central Valley and Central Coast of California. Later we served as trial judges in Fresno and San Luis Obispo counties before Judge de Alba became a federal judge and I elevated to the California Court of Appeal. We have remained friends over the years and participated in statewide efforts to improve the independence and integrity of California's judiciary. Over the course of our professional relationship, I have also sought Judge de Alba's counsel on various issues related to public service, the rule of law, standards of appellate review, and judicial restraint. Not only am I familiar with Judge de Alba's oral and written work, but I also know her values.

Surely you are aware of Judge de Alba's humble beginnings. She is the daughter of farm workers. Her parents had no formal education. As a young child, Judge de Alba toiled in the fields of the Central Valley under intolerable conditions. Despite language barriers, limited educational opportunities and extreme poverty (she did not sleep on a bed until she was a teenager), Judge de Alba excelled academically and distinguished herself in her rural community of Dos Palos. She earned undergraduate admission to one of the preeminent public universities in the world – the University of California at Berkeley.

At Berkeley, Judge de Alba had no road map, no one guiding her. Although most of us would have buckled under the pressure and self-doubt, Judge de Alba again excelled while working multiple jobs to help pay for her education. She graduated from Berkeley Law and embarked on a legal career dedicated to increasing access to justice and serving the most vulnerable in rural California. Rather than stay in the Bay Area and earn a six-figure salary, Judge de Alba

returned to the Central Valley. There, she shined as a civil litigator and trial attorney while representing corporate clients and individuals. She also created statewide pro bono programs and mentored scores of law students and lawyers while raising her daughter. Judge de Alba is an inspiration to many, including me.

As a trial judge, Judge de Alba's supervisors assigned her to criminal and juvenile law departments. Despite having no prior subject matter experience, Judge de Alba served with distinction. She earned the respect of the bar and the bench. But perhaps more importantly, she earned the trust of court users who stood before her. I have no doubt these litigants felt seen, heard, and understood. That is because Judge de Alba understands what it feels like to be invisible and live in the margins. Judge de Alba teems with humanity.

Before you is an extraordinary nominee who possesses that rare combination of integrity, humility, sound judgment, intelligence and intellectual curiosity that we – the American people – deserve on a federal appellate court. Judge de Alba is also unfailingly kind, hardworking, collegial, generous, and courageous. These values are innate to Judge de Alba because of her diverse personal and professional experiences as a working class American, legal trail blazer and dedicated public servant. These attributes will serve her exceptionally well on a court of review where she must listen, collaborate, and appreciate the impact of her decisions on everyday Americans.

Judge de Alba represents the very best of our nation. She has answered the call to public service. She appreciates the awesome power and privilege she wields as a federal judge. And she has intentionally made the decision to dedicate her life to public service, wholeheartedly embracing the adage, "To whom much is given, much is required." I recommend that Judge de Alba be confirmed with no reservation whatsoever. Please contact me if you would like additional information about this remarkable nominee.

Very truly yours,



Hernaldo J. Baltodano  
Associate Justice