



February 7, 2024

United States Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Durbin, Ranking Member Graham, and Committee Members:

On behalf of our 1.5 million supporters nationwide, People For the American Way enthusiastically supports the nomination of Amir Ali to the U.S. District Court for the District of Columbia. He has an extraordinary range of professional experiences, having represented large corporate interests in a variety of business matters and individuals without means seeking to vindicate their rights in the criminal justice system. He has shown a commitment to protecting the legal rights and dignity of all people, not just the wealthy and powerful. He will also be the first Muslim American Article III judge on the DC District Court.

Amir Ali grew up in Ontario, Canada, the child of immigrants from Egypt. After graduating from the University of Waterloo, he attended Harvard Law School, from which he graduated with honors in 2011. He clerked at the Ninth Circuit Court of Appeals for Judge Raymond Fisher, and then at the Supreme Court of Canada for Justice Marshall Rothstein.

Ali then spent four years as an associate at Jenner & Block. His practice focused on complex civil litigation, regulatory litigation, and appeal in areas including administrative law, intellectual property, contract disputes, tort actions, class actions, and communications law. At this stage of his career, he primarily represented large companies involved in civil disputes in federal courts or engaged in litigation before administrative agencies.

Ali also maintained a robust pro bono practice on behalf of indigent clients who could not otherwise afford effective legal representation. One such case involved Gregory Welch. Welch had received an enhanced sentence in 2010 under a congressional statute that the Supreme Court later struck down as unconstitutionally vague. Welch sought to have that ruling applied retroactively to his case. Ali argued his case before the Supreme Court, which ruled in his favor in 2016.<sup>1</sup>

In 2017, Ali transitioned to working full time for indigent and disadvantaged individuals. He began working at the Washington, DC office of the Roderick & Solange MacArthur Justice Center (MJC). MJC's mission is to represent people who have been harmed by the criminal justice system. He started there as Supreme Court and Appellate Counsel, and he has been the firm's executive director since 2021.

Ali's advocacy for people whose rights have been violated by the criminal justice system has made a difference in people's lives. For instance, he successfully argued Larry Thompson's case of malicious prosecution before the U.S. Supreme Court. New York police had received a false report of a crime happening at Thompson's home. They arrived without a search warrant, and Thompson

exercised his constitutional right to deny them entry until they got a warrant. The police entered anyway, arrested Thompson, and charged him with obstructing the police and resisting arrest. Before trial, prosecutors dropped the charges without explanation, and the case was dismissed.

Thompson sued for violation of his federal civil rights, but the lower court held that he couldn't sue because the criminal court's dismissal of the criminal charges didn't affirmatively mean he was innocent. Ali handled Thompon's appeal and successfully argued before the Supreme Court that dismissal of the criminal charges was enough to clear the way for Thompon's civil rights lawsuit.<sup>ii</sup> This not only opened the courthouse door for Larry Thompson, but also for individuals across the United States who had been similarly mistreated by prosecutors who thought they could behave with impunity.

Ali also successfully argued Gilberto Garza's case before the Supreme Court. After pleading guilty to two crimes, Garza told his trial lawyer that he wanted to appeal. The trial lawyer refused to file his client's notice of an intent to appeal, under the mistaken belief that Garza had waived any right to appeal as part of his plea agreement. The state courts refused to let him appeal, and his lawyers turned to Ali for help. Ali argued the case before the Supreme Court, which ruled in Garza's favor.<sup>iii</sup>

Ali also helped Matthew Jones find justice. Jones was a Black military veteran who police sought to arrest within his own apartment building. Jones asked why he was being arrested, and he didn't offer out his arms to the police who were refusing to explain their actions. In response, the officers subjected him to a series of escalating acts of violence. The police even tased him while he was lying face-down on the floor. Jones sued, and a jury found that the police had maliciously violated his rights. But the trial judge set the verdict aside. Jones turned to Ali, who represented him on appeal and successfully obtained an order directing the trial judge to reinstate the jury's verdict.<sup>iv</sup>

Ali is also dedicated to developing the next generation of attorneys. Since 2019, he has directed the Harvard Law School's Criminal Justice Appellate Clinic. He also helped establish and lead the Appellate Project, a not-for-profit organization that focuses on making the appellate profession more accommodating and accessible for people of color.

Amir Ami is a brilliant attorney whose skills and experience will help all litigants be confident that their cases will be decided fairly. The Senate should confirm him promptly.

Sincerely,



Marge Baker  
Executive Vice President

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<sup>i</sup> *Welch v. United States*, 578 U.S. 120 (2016).

<sup>ii</sup> *Thompson v. Clark*, 596 U.S. 36 (2022).

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<sup>iii</sup> *Garza v. Idaho*, 139 S. Ct. 738 (2019).

<sup>iv</sup> *Jones v. Treubig*, 963 F.3d 214 (2d Cir. 2020).