

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Jamel Ken Semper

2. **Position**: State the position for which you have been nominated.

United States District Judge for the District of New Jersey

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

United States Attorney's Office  
970 Broad Street, Suite 700  
Newark, New Jersey 07102

Residence: Jersey City, New Jersey

4. **Birthplace**: State year and place of birth.

1981; Brooklyn, New York

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

2004 – 2007, Rutgers School of Law (Newark); J.D., 2007

1999 – 2003, Hampton University; B.A., 2003

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2018 – present

United States Attorney's Office, District of New Jersey  
970 Broad Street, Suite 700

Newark, New Jersey 07102  
Deputy Chief, Criminal Division (2022 – present)  
Chief, Newark Violent Crime Initiative (2021 – present)  
Chief, Organized Crime & Gangs Unit (2020 – 2022)  
Chief, Violent Crime Unit (2019 – 2020)  
Assistant United States Attorney, Economic Crimes Unit (2019)  
Assistant United States Attorney, Violent Crimes Unit (2018 – 2019)

2013 – 2018  
Essex County Prosecutor's Office  
Veterans Courthouse  
50 West Market Street  
Newark New Jersey 07102  
Director, Special Prosecutions Unit (2016 – 2018)  
Assistant Prosecutor, Homicide Task Force (2014 – 2016)  
Assistant Prosecutor, Carjacking Unit (2014)  
Assistant Prosecutor, Trial Unit (2013 – 2014)

2008 – 2013  
Union County Prosecutor's Office  
32 Rahway Avenue, Elizabeth, New Jersey, 07202  
Assistant Prosecutor, Adult Trial Unit (2010 – 2013)  
Assistant Prosecutor, Juvenile Unit (2009 – 2010)  
Assistant Prosecutor, Appellate Unit (2008 – 2009)

2007 – 2008  
Essex County Superior Court of New Jersey  
Veteran's Courthouse  
50 West Market Street  
Newark New Jersey 07102  
Law Clerk for the Honorable Harold Fullilove

2003 – 2004  
Metropolitan Baptist Church Job Training Program  
149 Springfield Avenue  
Newark, New Jersey, 07103  
G.E.D. instructor

Other affiliations (uncompensated)

Summer 2006  
New Jersey Public Defender's Office  
31 Clinton Street, Suite 5  
Newark, 07102 New Jersey  
Summer Intern

Summer 2005  
Essex County Superior Court of New Jersey  
Veteran's Courthouse  
50 West Market Street  
Newark New Jersey 07102  
Summer Intern for the Honorable F. Michael Giles, J.S.C.

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I did not serve in the military. I inadvertently failed to register for Selective Service before turning 26. My lack of registration was unintentional as I was unaware of my obligation to register prior to turning 26. I did not knowingly or willfully disregard my obligation to register for the Selective Service. During an employment background check after turning 26, I learned that I was obligated to register for the Selective Service and that I had an unregistered status. Prior to my employment at the United States Attorney's Office, with the full support of my prior United States Attorney, the United States Office of Personnel Management ("OPM") adjudicated my lack of registration as neither knowing nor willful and determined that it was not an impediment to my ability to serve in the Department of Justice.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

City of Newark, Special Recognition for Leadership of the U.S. Attorney's Office's Newark Violent Crime Initiative (2022)

United States Attorney's Office for the District of New Jersey, New AUSA Award (2019)

National Organization of Blacks in Law Enforcement (NOBLE), Distinguished Advocacy Award (2015)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Association of the Federal Bar of New Jersey (2021 – 2023)

Essex County Bar Association (2013 – 2018; 2023)

Garden State Bar Association (2021 – 2022)

New Jersey Black Prosecutors Association (2019 – present)

New Jersey State Bar Association (2022 – 2023)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

New Jersey, 2007

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States District Court for District of New Jersey, 2018

There have been no lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Big Brothers Big Sisters of Essex County (2007 – 2009)

New Jersey Law and Education Empowerment Project (2021 – 2022)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, neither of the organizations listed above currently discriminate nor did they formerly discriminate on the basis of sex, religion, or

national origin either through formal membership requirements or the practical implementation of membership policies.

**12. Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

None.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

None.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

The following list reflects my best efforts to identify the speeches or talks that I have delivered. To compile the list, I consulted my own records and internet sources. There may, however, be other speeches or talks that I have been unable to recall or identify, as I may have spoken briefly at events for which I did not retain any record.

June 8, 2023: Keynote Speaker, Annual Lawyers Leading the Way Breakfast 2023, Newark Boys Chorus School's ("NBCS"), Robert Treat Hotel, BW Premier

Collection, 50 Park Place, Newark, New Jersey. I discussed how I became interested in the law and my perspective on leadership. I have no notes, transcript, or recording. The address for the NBCS is 1016 Broad Street, Newark, New Jersey 07102.

May 22, 2023: Panelist, U.S. Attorney's Office Town Hall on community outreach and crime reduction strategies, Camden, New Jersey. I spoke about the U.S. Attorney's Office's efforts to target violent crime and drug trafficking. I have no notes, transcript, or recording. The address for the U.S. Attorney's Office is 970 Broad Street, Suite 700, Newark, New Jersey 07102.

May 18, 2023: Panelist, "Hot Tips in White Collar Defense and Government Investigations," New Jersey State Bar Association's 16th Annual Convention ("NJSBA"), Atlantic City, New Jersey. I discussed the Department of Justice's prioritization of COVID-19 fraud prosecutions. I have no notes, transcript, or recording. The NJSBA is headquartered at One Constitution Square, New Brunswick, New Jersey 08901.

March 22, 2023: Panelist, U.S. Attorney's Office Town Hall on community outreach and crime reduction strategies, Jersey City, New Jersey. I spoke about the U.S. Attorney's Office's efforts to target violent crime and drug trafficking. I have no notes, transcript, or recording. The address for the U.S. Attorney's Office is 970 Broad Street, Suite 700, Newark, New Jersey 07102.

February 22, 2023: Guest Speaker, Fairleigh Dickinson University's Criminal Justice Department's Black History Career Fair, Teaneck, New Jersey. I discussed how I became a prosecutor. I have no notes, transcript, or recording. Fairleigh Dickinson University is located at 1000 River Road, Teaneck, New Jersey 07666.

November 29, 2022: Panelist, U.S. Attorney's Office Town Hall on community outreach and crime reduction strategies, Newark, New Jersey. Video available at <https://www.facebook.com/ZionHillNewark/posts/pfbid0CQSCzXgaPvqTcstypzZ1wTQs8M5daa9N8H8DzgASLLUnoQbhP5qgs5EP2gXKuPZFl>.

November 22, 2022: Panelist, Thanksgiving Week CLE Blitz, Program 1: Nuts and Bolts of Criminal Law, Continuing Legal Education Criminal Law Course, Essex County Bar Association's ("ECBA"). The webinar panel discussion was about pretrial detentions and jury trial strategy. I have no notes, transcript, or recording. The ECBA is headquartered at 470 Dr. Martin Luther King Jr. Boulevard, Newark, New Jersey, 07102.

October 29, 2022: Panelist, 2022 Criminal Law Institute at the New Jersey Law Center, New Brunswick, New Jersey, 08901. The event was sponsored by the NJSBA. The panel concerned the pandemic's impact on New Jersey's court system, and I discussed how the federal judiciary conducted its practices and procedures during the pandemic. I have no notes, transcript, or recording. The

address for the New Jersey Law Center is One Constitution Square, New Brunswick, New Jersey, 08901].

May 18, 2022: Panelist, Discussion about the inner workings of the United States Attorney's Office ("USAO"), New Jersey State Bar Association's ("NJSBA") Annual Convention Annual Convention, Atlantic City, New Jersey. During the discussion, I detailed the priorities of the USAO's violent crime program and the USAO's collaborative efforts with its law enforcement partners. I have no notes, transcript, or recording. The NJSBA is headquartered at One Constitution Square, New Brunswick, New Jersey 08901.

April 25, 2022: Panelist, "Panel Discussion: Gun Violence in the Communities We Serve," Region 1 Education and Training Conference, Annual Training Conference for New Jersey, New York, Connecticut, and Massachusetts, National Organization of Black Law Enforcement Executives ("NOBLE"), Atlantic City, New Jersey. I discussed my office's efforts to reduce gun violence and organized criminal activity. I have no notes, transcript, or recording. The address for the New Jersey chapter of NOBLE is P.O. Box 1641 Piscataway, New Jersey 08855.

December 7, 2021: Panelist, "US Attorney and Federal Public Defender's Committee Virtual CLE Program: Approaches to Federal Prosecution and Defenses of White Collar and Violent Crime Cases," The Association of the Federal Bar of New Jersey ("AFBNJ"), Virtual Webinar. I discussed practical considerations during criminal investigations and sentencing. I have no notes, transcript, or recording. AFBNJ is located at 970 Broad Street, Newark, New Jersey 07102.

In 2018 and 2019, I gave two lectures on criminal plea negotiations to an advanced negotiations skills class at Seton Hall Law School. I have no notes, transcript, or recording. Seton Hall Law School is located at 1109 Raymond Boulevard, Newark, New Jersey 07102.

November 19, 2016: Panelist, 2016 Criminal Law Institute at the New Jersey Law Center, New Jersey State Bar Association ("NJSBA"), New Brunswick, New Jersey. The panel discussed techniques to investigate and prepare a criminal case. I have no notes, transcript, or recording. The NJSBA is headquartered at One Constitution Square, New Brunswick, New Jersey 08901.

In 2016, I gave a single lecture on New Jersey's bail reform to Rutgers University School of Criminal Justice. I have no notes, transcript, or recording. Rutgers University is located at 195 University Avenue, Newark, New Jersey 07102.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Ande Richards, NJ.com interview following a United States Attorney's Office townhall (Nov. 29, 2022). Video available at <https://twitter.com/AndeRichards/status/1599423034682920960>.

Thomas Moriarty, *'Monster' Gets Life in Prison*, STAR-LEDGER (May 2, 2018). Copy supplied.

Arrman Kyaw, *Man Pleads Guilty to 2014 Murder of UR Student*, THE UNIVERSITY OF RICHMOND COLLEGIAN (March 29, 2018). Copy supplied.

Mark Di Ionno, *With Guilty Plea, A Family's Dread Is Turned to Relief*, THE STAR-LEDGER (March 7, 2018). Copy supplied.

Thomas Moriarty, *Man Admits Gunning Down Tevlin, 3 Others – He Pleaded Guilty During Jury Selection, Said Killings Were Inspired by Jihad*, THE STAR-LEDGER (March 7, 2018). Copy supplied.

*Brendan Tevlin Killer's Terrorism Conviction the First in N.J.*, NJ ADVANCE MEDIA (March 6, 2018). Video available at [https://www.youtube.com/watch?v=60yXPnHx\\_I](https://www.youtube.com/watch?v=60yXPnHx_I).

David Porter, *Man on 'Jihad' Admits to Killing 4 in Cross-Country Binge*, ASSOCIATED PRESS (March 6, 2018). Copy supplied.

Joshua Jongsma, *Ali Muhammad Brown admits to killing Brendan Tevlin as part of 'jihad'*, Northjersey.com (March 6, 2018). Copy supplied.

Thomas Moriarty, *N.J. Man Guilty of Murder for Luring Victim to His Death*, Star-Ledger (June 8, 2017). Copy supplied.

Esha Ray, *Life Sentence for Nanny-Cam Attack*, CBS 2 NEW YORK (June 30, 2016). Video available at <https://www.youtube.com/watch?v=i4Mst3aT6U8>.

Mark Di Ionno, *For the 'Nanny Cam' Victim, a Life Sentence, Too*, THE STAR-LEDGER (June 30, 2016). Copy supplied.

Robert Sciarrino, *Nanny-Cam Sentencing Press Conference*, NJ ADVANCE MEDIA, (June 29, 2016). Video available at <https://www.youtube.com/watch?v=ShVtyavkbV8>.

Tom Haydon, *Convicted 'Nanny-cam' Attacker Sentenced to Life in Prison*, NJ ADVANCE MEDIA NJ.com (June 29, 2016). Copy supplied and video available at <https://www.youtube.com/watch?v=ShVtyavkbV8&t=1s>.

Mark Di Ionno, *Brutal Tape Told The Truth In 'Nanny Cam' Case*, Ledger Local



(June 6, 2016). Copy supplied.

*Jury Renders Verdict in Nanny Cam Case*, THE ITEM OF MILLBURN AND SHORT HILLS (June 3, 2016). Copy supplied.

Tom Haydon, *Nanny-Cam Suspect Guilty of Assault*, THE STAR-LEDGER (June 2, 2016). Copy supplied.

Tom Haydon, *Nanny-Cam Suspect Not Guilty of Attempted Murder*, THE STAR-LEDGER (June 1, 2016). Copy supplied.

Rob Nelson, *Man Guilty of Assault, Not Attempted Murder in Millburn 'Nanny Cam' Beating*, CHANNEL 7 EYEWITNESS NEWS WABC (June 1, 2016). Video available at <https://abc7ny.com/shawn-custis-assault-nanny-cam-beating-robbery/1366628>.

*Jury Finds 'Nanny Cam' Attacker Not Guilty of Attempted Murder*, NJ ADVANCE MEDIA NJ.com (June 1, 2016). Video available at <https://www.youtube.com/watch?v=qFszFN0fe40>.

Tom Haydon, *'Nanny Cam' Conviction Result of Public 'Stepping Forward,' Prosecutor Says*, NJ ADVANCE MEDIA (June 2016). Copy supplied.

*Alleged Gunman in Murder of Brendan Tevlin Demands Evidence Related to Killing*, Plus Media Solutions (April 21, 2015). Copy supplied.

Bill Wichert, *Alleged Gunman Seeks to Bar Evidence*, THE STAR-LEDGER (March 31, 2015). Copy supplied.

Essex County Prosecutor's Office, *East Orange Man Sentenced to Life for Fatally Shooting Seton Hall Student*, PRESS RELEASE (May 30, 2014). Copy supplied.

Associated Press, *Man Gets Life for Seton Hall Student's Murder*, ASSOCIATED PRESS: US NEWS ONLINE (May 30, 2014). Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_
  - i. Of these cases, approximately what percent were:

jury trials: \_\_\_\_\_%  
bench trials: \_\_\_\_\_% [total 100%]

ii. Of these cases, approximately what percent were:

civil proceedings: \_\_\_\_\_%  
criminal proceedings: \_\_\_\_\_% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.
  - c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
  - d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
  - e. Provide a list of all cases in which certiorari was requested or granted.
  - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
  - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to

an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

None.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

None.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
  - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

From 2007 to 2008, I served as a law clerk to the Honorable Harold Fullilove of the Essex County Superior Court of New Jersey.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced law alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each;

2008 – 2013  
Union County Prosecutor's Office  
32 Rahway Avenue  
Elizabeth, New Jersey 07202  
Assistant Prosecutor

2013 – 2018  
Essex County Prosecutor's Office  
Veteran's Courthouse  
50 West Market Street  
Newark, New Jersey 07102  
Director (2016 – 2018)  
Assistant Prosecutor (2016 – 2018)

2018 – present  
United States Attorney's Office, District of New Jersey  
970 Broad Street, Suite 700  
Newark, New Jersey 07102  
Deputy Chief of Criminal Division (2022 – present)  
Unit Chief (2019 – 2022)  
Assistant United States Attorney (2018 – 2019)

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

After completing my clerkship, I joined the Union County Prosecutor's Office as an assistant prosecutor and represented New Jersey in appellate and post-conviction relief matters. In 2009, I served in family court where I investigated and prosecuted a variety of juvenile matters including sexual

assault and firearms offenses. While assigned to family court, I litigated dozens of bench trials for various juvenile offenses. In 2010, I was assigned to the Adult Trial Unit where I prosecuted felonies ranging widely from check fraud to murder. In 2011 and 2012, I litigated approximately 20 felony jury trials to verdict. During my tenure in the Adult Trial Unit, I maintained an annual caseload of approximately 50 cases at various stages of litigation.

I joined the Essex County Prosecutor's Office ("ECPO") in February 2013 and began my service in the Trial Unit where I maintained an annual caseload of approximately 100 matters at various stages of litigation. In late 2013, I was transferred to the Carjacking Unit where I began to specialize in violent felony offenses. In 2014, I was transferred to the Homicide Unit where I directed investigations and served as lead counsel in homicide prosecutions. From 2016 until my departure from ECPO in 2018, I served as Director of the Special Prosecution Unit where I supervised approximately 20 investigators and assistant prosecutors tasked with targeting and prosecuting violent offenders.

In August 2018, I joined the United States Attorney's Office in the District of New Jersey ("USAO") and began my service in the Violent Crimes Unit where I investigated and prosecuted violent firearms-related federal offenses. In 2019, I was assigned to serve in the Economic Crimes Unit where I investigated and prosecuted white collar crimes including securities fraud and tax evasion. In the fall 2019, I was promoted to Chief of the Violent Crime Unit. In 2020, I was again promoted to Chief of the Organized Crime and Gang Unit. In 2021, I was named the head of the Newark Violent Crime Initiative where I lead a cooperative law enforcement task force of federal, state, and local prosecutors and investigators in Essex County that targets violent criminal enterprises. In 2022, I was promoted to Deputy Chief of the Criminal Division where I am responsible for the establishment and implementation of the USAO's violent crime reduction strategy. In this role, I supervise all phases of criminal investigation and litigation of the approximately 35 federal prosecutors in the General Crimes Unit, Organized Crimes & Gangs Unit, and the Organized Crime Drug Enforcement Task Force.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

I represented the state of New Jersey from 2008 to 2018. I have represented the United States from 2018 to the present. As a career prosecutor, I have specialized in prosecuting violent crime.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of

your appearances in court varied, describe such variance, providing dates.

The entirety of my practice has been in litigation. Since becoming a federal prosecutor in 2018, all my practice has been in federal court in the District of New Jersey, where I make several appearances per year. Prior to serving as a federal prosecutor, my legal practice was in criminal prosecution in New Jersey state court proceedings, where I made daily appearances.

i. Indicate the percentage of your practice in:

- |                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 30% |
| 2. state courts of record:  | 70% |
| 3. other courts:            | 0%  |
| 4. administrative agencies: | 0%  |

ii. Indicate the percentage of your practice in:

- |                          |      |
|--------------------------|------|
| 1. civil proceedings:    | 0%   |
| 2. criminal proceedings: | 100% |

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

To the best of my recollection, I have tried at least 40 trials to verdict or final decision. I was sole or lead counsel in all but three of those matters.

i. What percentage of these trials were:

- |              |     |
|--------------|-----|
| 1. jury:     | 55% |
| 2. non-jury: | 45% |

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have never practiced before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

a. the date of representation;

- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *United States v. Fallas*, Criminal No. 21-131 (D.N.J.)

I represented the United States in this matter from 2020 to 2021. Between 2013 and 2017, Fallas owned several construction companies that generated millions of dollars in profits. Fallas attempted to hide his profits from the Internal Revenue Service by using a check cashing business to cash customer payments that he did not report. Fallas also attempted to hide income from the Internal Revenue Service by depositing hundreds of thousands of dollars in customer payments into bank accounts that were not associated with his companies. In sum, Fallas evaded approximately \$1.7 million of tax liability through the scheme. I was lead counsel on the case and led the grand jury investigation. I negotiated the plea agreement that resulted in Fallas' guilty plea and two-and-a-half-year term of imprisonment. The Honorable Claire Cecchi of the United States District Court for the District of New Jersey presided over the case.

Counsel for Defendant

Riza I. Dagli  
Brach Eichler  
101 Eisenhower Parkway  
Roseland, NJ 07068  
(973) 567-7556

2. *United States v. Hills*, Criminal No. 19-530 (D.N.J.)

I represented the government in this matter from 2018 to 2020. Hills was a ranking member of the Grape Street Crips ("GSC"), one of the largest street gangs in New Jersey, which controlled drug trafficking and other criminal activities across large swaths of Newark. At the height of its reign from 2011 to 2013, the GSC had been responsible for 34 homicides and hundreds of shootings in Newark. In December 2012, Hills, while acting to advance the interests of the GSC, shot a rival drug dealer six times to secure more drug territory for the GSC. Similarly, in February 2013, Hills shot another rival drug dealer eight times to capture his drug territory. I served as co-counsel on the prosecution team that investigated Hills and secured an indictment charging him with conspiracy to commit racketeering and drug trafficking. I negotiated a plea agreement that accounted for the state prison sentences that Hills had already served for the underlying shootings. Hills was sentenced to eight years and three months imprisonment in this matter. The Honorable Madeline Cox Arleo of the United States District Court of New Jersey presided over the case.

Co-Counsel

Osmar Benvenuto

Morgan Stanley  
1585 Broadway  
New York, NY 10036  
(212) 761-4000

Counsel for Defendant

Christopher Adams  
Greenbaum, Rowe, Smith, and Davis, LLP  
99 Wood Avenue  
South Iselin, New Jersey 08830  
(732) 549-5600

3. *United States v. Adebayo*, Criminal No. 19-68 (D.N.J.)

I represented the government in this matter in 2019. Adebayo was a computer programmer who utilized the dark web to purchase personal identifying information (“PII”) of hundreds of victims in the U.S. and Europe. Adebayo used crypto currency to purchase this PII from criminal entities based in Russia and Asia. Upon obtaining the PII, Adebayo hacked into his victims’ email accounts and/or telecom service accounts and ordered replacement credit cards in their names to be sent to mailing addresses he controlled. Upon fraudulently obtaining credit cards in his victims’ names, Adebayo used the credit cards to purchase high end luxury items that he later fenced to others. I served as lead-counsel for the prosecution team that briefed and successfully litigated extensive motion practice before securing Adebayo’s conviction after a two-week trial. The Honorable Madeline Cox Arleo of the United States District Court of New Jersey presided over the case and sentenced Adebayo to five years and five months of imprisonment.

Co-Counsel

Catherine R. Murphy  
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4. *State v. Brown*, Indictment No. 15-07-01541-I

I represented New Jersey in this terrorism and murder case from 2014 to 2018. This was the first prosecution of a homicide under New Jersey’s domestic terrorism statute. In



spring 2014, Brown became self-radicalized by ISIS propaganda on the internet. Brown made plans to travel to Syria to engage in “Jihad” against the U.S. government, which he deemed responsible for “millions” of lives lost in Middle East conflicts. To advance his jihad against the U.S. government, Brown shot and killed three men in King County, Washington in May and June 2014. Following the King County killings, Brown fled to West Orange, New Jersey where he prepared to travel to the Middle East. While in West Orange, Brown shot and killed a 19-year-old college student and dumped the victim’s body in a parking lot. After his capture, Brown confessed his jihad and plans to exact revenge on the U.S. government by killing Americans. I was the lead prosecutor on this matter and, pursuant to New Jersey’s domestic terrorism statute, I obtained authorization from the New Jersey Attorney General to charge Brown with domestic terrorism. I briefed pretrial motions to introduce Brown’s confession and introduce evidence of Brown’s Washington killings to establish his intent to kill the victim to exact his revenge against the U.S. government. Following extensive pre-trial testimonial hearings, Brown pled guilty without a plea agreement during jury selection on March 6, 2018. Brown’s guilty plea was entered while he was serving a 35-year sentence for an armed robbery he committed days after the West Orange murder. In addition to first degree murder, Brown pled guilty to first degree terrorism, first-degree felony murder, first-degree carjacking, first-degree robbery, unlawful possession of a handgun, possession of a weapon for an unlawful purpose. In May 2018, Brown was sentenced to a mandatory life sentence by the Honorable Ronald D. Wigler of the Essex County Superior Court of New Jersey, who presided over the case.

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5. *State v. Hunt*, Indictment No. 16-02-00414-I

I represented New Jersey in this matter from 2015 to 2017. In June 2015, Hunt assaulted his girlfriend and stole her cell phone after he observed her speaking to a male acquaintance while she was on a date with Hunt. Hunt fled from the scene of the assault with his girlfriend’s phone before police and medical services arrived to take his girlfriend to a hospital for treatment for her injuries. Upon searching the contents of the phone, Hunt learned his girlfriend exchanged text messages with another male, the victim, and had made plans to see the victim that evening. Hunt then pretended to be his

girlfriend and used her phone to send text messages to the victim in order to lure the victim to a restaurant in Irvington, New Jersey. Hunt also commissioned his other girlfriend to drive him to the Irvington restaurant. Once Hunt lured the victim to the area, he ambushed and executed the victim with a firearm. I served as sole counsel for the prosecution. I successfully briefed and litigated pretrial motions that allowed the prosecution to introduce evidence of Hunt's assault on his girlfriend on the night of the murder to establish Hunt's motive to kill the victim because of his jealousy toward other men. At trial, neither of Hunt's girlfriends were cooperative while testifying for the prosecution. The girlfriend that Hunt assaulted shortly before the murder testified that Hunt did not assault her, but instead, she injured herself falling on the night of the murder. The girlfriend that brought Hunt to the murder scene alleged she did not observe the murder despite being a short distance from the away at the time of the incident. Ultimately, we secured a guilty verdict with the use of prior statements from Hunt's girlfriends, forensic cellular data evidence that placed Hunt at the scene of the murder, and surveillance video of the killing. Hunt was sentenced to life in prison. The Honorable James W. Donohue of the Essex County Superior Court of New Jersey presided over the case.

Counsel for Defendant

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6. *State v. Custis*, Indictment No. 14-01-00204-I

I represented New Jersey in this matter from 2014 to 2016. In June 2013, Custis forcibly entered a home in Millburn while a mother and her two small children were preparing breakfast. Upon entering the home, Custis knocked the victim unconscious in front of her child and continued to violently assault the victim after she lost consciousness. Custis then threw the victim down a flight of stairs and locked her in the basement of her home. Custis then robbed the home and fled the scene. The assault was captured on a "nanny-cam" video that was released to the public to generate tips. While serving as lead prosecutor on the case, I discovered that one of the first officers who responded to the scene was captured on video calling Custis a racial slur. After disclosing my discovery to the trial court and the defense, the case became racially charged and questions about the integrity of the police were raised by the defense. I successfully briefed and litigated pretrial motions that allowed the prosecution to introduce articles of Custis' clothing that were stained with the victim's blood and were also depicted on the "nanny-cam" video. During the trial, I served as lead counsel and took testimony from approximately 20 witnesses. The jury convicted Custis of robbery and assault but acquitted him of attempted murder. The prosecution made use of forensic evidence as well as the testimony of members of the community who identified Custis as the assailant on the video. Essex County Superior Court Ronald D. Wigler presided over the case and sentenced Custis to life in prison.

Co-Counsel

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7. *State v. Brown*, Indictment No. 15-01-00001-I

I represented New Jersey in this matter from 2014 to 2016 where Brown was charged with first degree armed robbery and two firearms offenses. Two weeks after Brown had executed a college student in West Orange, New Jersey to advance his jihad against the U.S. government, he evaded capture by living in a densely forested area a few miles from the murder scene. On the morning of July 10, 2014, Brown committed a gunpoint robbery of a victim who was entering his car near an apartment complex in West Orange. During the robbery, Brown threatened to kill the victim before locking the victim inside the trunk of their vehicle. Following a two-week manhunt, law enforcement captured Brown in a makeshift campsite. At the time of his capture, Brown was found with the firearm he used in the murder and the robbery. Brown was also found with a journal that detailed his plans to travel the Middle East to join ISIS. I was the sole prosecutor who secured the indictment and litigated the two-month trial that resulted in Brown's conviction on the robbery and firearms charges. The Honorable Michael Petrolle of the Essex County Superior Court of New Jersey presided over the case and sentenced Brown to 36 years in state prison.

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8. *State v. Welch*, Indictment No. 11-09-01648-I

I represented New Jersey in this matter from 2013 to 2014. In September 2010 Welch unlawfully entered a private house party hosted by fraternity members enrolled at Seton Hall University. Shortly after Welch was asked to leave the party, he became argumentative and started a physical altercation with members of the fraternity and was

forcibly ejected from the premises. Minutes later, Welch returned to the party armed with a gun, kicked down the front door of the residence, and shot five people, killing one. I served as co-counsel on the prosecution team, and I was responsible for preparing witnesses for trial. During the trial, the defense argued that a shoe print found on the door Welch kicked down did not come from Welch's shoes and, thus, a third party was responsible for the murder and mass shooting. I was tasked with cross examining a retired FBI special agent who testified as a defense expert witness in shoe print analysis. The jury convicted Welch for the mass shooting and the murder. Welch was subsequently sentenced to life in prison. The Honorable Robert Gardner of the Essex County Superior Court of New Jersey presided over the case.

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9. *State v. Williams*, Indictment No. 12-03-000728-I

I represented New Jersey in this matter in 2013. In June 2011, Williams carjacked a victim at a gas station as the victim was pumping air into his car tire. When the victim tried to pull Williams out of the vehicle, Williams drove the vehicle out the gas station, dragging the victim 45 yards into oncoming traffic when the victim's leg became trapped under the vehicle. Williams escaped from the scene. Days later, law enforcement recovered the vehicle and subsequently identified Williams's DNA profile on several items recovered from the vehicle. The victim subsequently identified Williams in a photo array. Prior to trial, I successfully litigated against a series of motions filed by the defense including a motion to suppress the photo identification of Williams. I was the sole counsel in this case and litigated the case to jury verdict. Williams was convicted at trial and sentenced to 25 years in prison. The Honorable Michael Ravin of the Essex County Superior Court of New Jersey presided over the case.

Counsel for Defendant

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10. *State v. Zapata*, Indictment No. 10-03-00211-I

I represented New Jersey in this matter from 2010 to 2011. In the pre-dawn hours of November 21, 2009, Zapata hid on a sidewalk near the residence of the victim, his ex-girlfriend, and waited for her to arrive home. When the victim arrived in the area in her vehicle, Zapata forcibly entered the victim's vehicle and ordered her to drive to a nearby park. While at the park, Zapata held the victim against her will for hours and demanded that the victim renew their romantic relationship. As Zapata held the victim against her will, he assaulted and bit the victim, causing her to bleed throughout her vehicle. Zapata then ordered the victim to drive back to her residence, but physically prevented her from leaving the vehicle until a bystander intervened and contacted the police. Zapata fled the scene and was arrested eight months later. I was the sole prosecutor who litigated this case. Zapata and the victim reconciled just before the start of the trial and the victim refused to fully cooperate with the prosecution during the trial. Despite the victim's unwillingness to cooperate, I obtained Zapata's kidnapping conviction at trial using photos of the victim's injuries and blood stains, the testimony of the bystander, and the victim's initial statement. The Honorable Miriam Spann of the Union County Superior Court of New Jersey presided over the case and sentenced Zapata to 15 years in prison.

Counsel for Defendant

John Lohse (deceased)

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

In addition to matters I have personally litigated, I have supervised hundreds of criminal cases handled by prosecutors in state and federal court, that went to trial and were resolved prior to trial. Those cases have spanned a wide variety of areas of criminal law, including the dissemination of child pornography, illegal re-entry, bank fraud, wire fraud, drug trafficking, Hobbs Act robbery, identity theft, tax evasion, money laundering, firearms trafficking, sex trafficking, cybercrimes, kidnapping, murder for hire, racketeering, and violent crime in aid of racketeering. I have supervised prosecutors in numerous jury trials in state and federal courts. In my supervisory roles at the United States Attorney's Office, I supervise prosecutors in all phases of criminal investigations and litigation. Specifically, I have reviewed, edited, and authorized criminal complaints, legal process, court submissions, and plea agreements drafted by the prosecutors under my direction. I regularly collaborate with federal prosecutors to develop trial strategies in advance of and during litigation. I regularly collaborate with federal law enforcement agencies to authorize investigations and I have directed dozens of federal prosecutors under my supervision to take certain investigative actions in cases that I supervise.

Since 2022, I have served as the head of the United States Attorney's Office's violent crime program where I am tasked with supervising our Violent Crime Initiative ("VCI"). The VCI is a joint task force made up of dozens of federal, state, and local law enforcement personnel, who investigate violent criminal enterprises and drug traffickers operating in New Jersey's major cities. The VCI is a collaborative effort that targets criminal offenders who are driving violence in their respective communities. The VCI aims to reduce the scourge of gun violence in New Jersey's vulnerable communities. In 2022, Newark and Jersey City experienced more than 25 percent reductions in total shooting incidents. I have supervised VCI investigations that resulted in prosecutions of dozens of defendants for drug trafficking, firearms offenses, murder, and racketeering.

I have not registered as a lobbyist or engaged in any lobbying activities.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

None.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

None.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

When my nomination is formally submitted to the Senate, I will file my Financial Disclosure Report and will supplement this Questionnaire with a copy of that Report.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in

detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

There are potential conflicts that could arise in criminal matters that I worked on, supervised, or became aware of while serving as a prosecutor.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If confirmed, I will carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

I have dedicated my entire career to public service, both as a state and federal prosecutor. In these roles, I have been precluded from providing pro bono representation, but I have previously been involved in Big Brothers Big Sisters of Essex County and New Jersey Law and Education Empowerment Project.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

On December 23, 2022, I applied to the judicial screening committee for Senator Cory Booker. On March 28, 2023, I interviewed with Senator Booker's screening committee. On June 7, 2023, I interviewed with Senator Robert Menendez. On June 16, 2023, I interviewed with Senator Booker. On June 29, 2023, the White House Counsel's Office informed me that I had been recommended as a potential candidate for nomination. On June 29, 2023, I interviewed with attorneys from the White House Counsel's Office, who informed me on July 1, 2023, that I would be moving forward in the selection process. Since July 5, 2023, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On September 6, 2023, the President announced his intent to nominate me.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.