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July 25, 2022

United States Senate  
Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

**National  
Headquarters  
Los Angeles  
Regional Office**  
634 S. Spring Street  
Los Angeles, CA 90014  
Tel: 213.629.2512

Re: Support for Confirmation of Bradley N. Garcia to the U.S. Court of Appeals for the District of Columbia Circuit

*Sent via email*

Dear Senator:

**Chicago  
Regional Office**  
11 East Adams  
Suite 700  
Chicago, IL 60603  
Tel: 312.427.0701

I write on behalf of MALDEF (Mexican American Legal Defense and Educational Fund) to urge you to support advancing to the full Senate the nomination of Mr. Bradley N. Garcia of the District of Columbia to serve on the United States Court of Appeals for the District of Columbia Circuit (“D.C. Circuit”). Founded in 1968, MALDEF is the nation’s leading Latino legal civil rights organization. Described as the “law firm of the Latino community,” MALDEF promotes social change in the areas of immigrant rights, employment, education, voting rights, and freedom from open bias.

**San Antonio  
Regional Office**  
110 Broadway  
Suite 300  
San Antonio, TX 78205  
Tel: 210.224.5476

Although Latinos have been the nation’s largest racial minority group for close to two decades, a Latino has never served on the D.C. Circuit, the “second most important”<sup>1</sup> court in the United States. Located in our nation’s capital, the D.C. Circuit is particularly important due to the significance and nature of the myriad cases that appear on its docket, including many that touch on the role the federal government plays in our lives and in our communities. By confirming Mr. Garcia to the D.C. Circuit, the Senate will be achieving a historic feat—it will not only put a remarkable intellect on the federal bench, it will publicly recognize the importance of Latinos both in the United States and in our legal system.

**Sacramento  
Policy Office**  
1512 14<sup>th</sup> Street  
Sacramento, CA 95814  
Tel: 916.444.3031

Mr. Garcia is eminently qualified to serve on the D.C. Circuit. He has served as the Deputy Assistant Attorney General in the Office of Legal Counsel at the Department of Justice since January 2022. Prior to that, Mr. Garcia was a partner in the esteemed Supreme Court and Appellate Practice Group at O’Melveny & Myers, led for many years by Walter Dellinger, the indomitable former acting United States Solicitor General. Mr. Garcia has extensive appellate litigation experience, having argued over a dozen cases in federal and state appellate

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<sup>1</sup> Carl Hulse, *McConnell Nears His Benchmark*, NY TIMES (Jun. 18, 2020), <https://www.nytimes.com/2020/06/18/us/mcconnell-courts-justin-walker.html>.

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courts and representing clients in over 50 cases. He also received the prestigious Warren Christopher Values Award, the highest award at O’Melveny, reflecting his “commitment to . . . excellence, leadership, and citizenship.”<sup>2</sup>

Before joining O’Melveny, Mr. Garcia clerked for Justice Elena Kagan of the United States Supreme Court and Judge Thomas Griffith of the D.C. Circuit.<sup>3</sup> A graduate of Johns Hopkins University and Harvard Law School, he received his Juris Doctor *magna cum laude* and served as an editor of the *Harvard Law Review*. Mr. Garcia has exceptional professional accomplishments that highlight his distinctive qualifications for the D.C. Circuit.

Mr. Garcia has also demonstrated his commitment to civil rights and access to justice throughout his legal career. He has significant pro bono experience; for example, in *United States v. Palomar-Santiago*, 141 S. Ct. 1615 (2021), Mr. Garcia appeared before the Supreme Court representing an incarcerated individual facing removal from the United States. He is also an active member of the MacArthur Justice Center’s Supreme Court and Appellate Advisory Board.<sup>4</sup> With his intellect, collegial nature, and commitment to the law, Mr. Garcia will be a powerful addition to the D.C. Circuit. He exemplifies the characteristics ideal for a successful and impactful judicial career.

Mr. Garcia’s confirmation is critical to ensuring that our federal judiciary accurately reflects the diversity of our nation. Representation is essential to public trust in government entities. When people see members of their communities serving as elected officials, judges, and other influential positions, they are more likely to take part in and trust the democratic process themselves.<sup>5</sup> Mr. Garcia’s confirmation will serve as an opportunity for the Senate to both make history and ensure that the D.C. Circuit begins to reflect the diversity of the country. Mr. Garcia will also bring his own lived experience as a Latino to the bench—a perspective missing from the D.C. Circuit since its founding.

We strongly urge you to support Mr. Garcia’s advancement to the full Senate and his confirmation to the D.C. Circuit. Thank you for your time and consideration.

Sincerely,



Nikolas Youngsmith  
Legislative Staff Attorney

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<sup>2</sup> Former O’Melveny Partner Brad Garcia Nominated to U.S. Court of Appeals for the D.C. Circuit, O’MELVENY AND MEYERS LLP (Jun. 15, 2022), <https://www.omm.com/our-firm/media-center/press-releases/former-omelveny-partner-brad-garcia-nominated-to-us-court-of-appeals-for-the-dc-circuit/>.

<sup>3</sup> Biden Nominee Would be First Latino on Federal Appeals Court in D.C., THE WASHINGTON POST (Jun. 15, 2022), <https://www.washingtonpost.com/dc-md-va/2022/06/15/dc-circuit-bradley-garcia/>.

<sup>4</sup> Meet the Nominated Judges, COURTS MATTER, <https://courtsmatter.org/nominees/bradley-n-garcia/> (last visited July 20, 2022).

<sup>5</sup> *The Legitimacy of Representation: How Descriptive, Formal, and Responsiveness Representation Affects the Acceptability of Political Decisions*, SAGE JOURNALS (Aug. 8, 2017), <https://journals.sagepub.com/doi/full/10.1177/0010414017720702>.