

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Kenneth John Gonzales

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

United States District Judge for the District of New Mexico

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.

201 Third Street, NW, Suite 900  
Albuquerque, New Mexico 87102

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

1964; Espanola, New Mexico

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.

1991 – 1994; University of New Mexico School of Law; J.D., 1994

1983 – 1988; University of New Mexico; B.A., 1988

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.

1999 – Present

United States Attorney's Office for the District of New Mexico  
201 Third Street, NW, Suite 900  
Albuquerque, New Mexico 87102

United States Attorney (2010 – Present)  
Assistant United States Attorney (1999 – 2010)

1996 – 1999  
United States Senate, Office of Senator Jeff Bingaman  
703 Hart Senate Office Building  
Washington, DC 20510  
Legislative Assistant

1994 – 1996  
New Mexico Supreme Court  
Chambers of Chief Justice Joseph F. Baca  
237 Don Gaspar Avenue  
Santa Fe, New Mexico 87501  
Judicial Law Clerk

Fall 1992, Spring 1994  
University of New Mexico School of Law  
1117 Stanford NE  
Albuquerque, New Mexico 87131  
Teaching Assistant/Tutor

1993 – 1994  
Office of University Counsel  
University of New Mexico  
Albuquerque, New Mexico 87131  
Law Clerk

Summer 1993  
Hinkle, Cox, Eaton, Coffield & Hensley, L.L.P.  
formerly at 500 Marquette Avenue, NW  
Albuquerque, New Mexico 87120  
Law Clerk

Summer 1992  
Sheehan, Sheehan, & Stelzner, P.A.  
40 First Plaza, Suite 740  
Albuquerque, New Mexico 87120  
Law Clerk

1989 – 1991  
University of New Mexico Office of Student Financial Aid  
MSC11 6315, Mesa Vista Hall  
Albuquerque, New Mexico 87131  
Financial Aid Counselor

1988 – 1989  
Souper Salad  
1606 Central Avenue SE  
Albuquerque, New Mexico 87106  
Waiter

Other Affiliations (uncompensated):

2010 – present  
New Mexico High Intensity Drug Trafficking Board of Directors  
2450 Lakeside Drive, Building A  
Las Cruces, New Mexico 88007  
Member (2010 – present)  
Chairman (2010 – 2011)

1992 – 1996; 2005 – 2009  
New Mexico Hispanic Bar Association  
P.O. Box 26326  
Albuquerque, New Mexico 87125  
Board Member at-large (1994 – 1996; 2005 – 2009)  
Board Member, Law Student Representative (1992 – 1994)

1995 – 1996; 2000 – 2010  
University of New Mexico School of Law Alumni Association  
1117 Stanford Drive NE, MSC11 6070  
Albuquerque, New Mexico 87131  
Board Member at-large

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.

2010 – present  
United States Army Reserve  
The Judge Advocate General's Legal Center and School  
600 Massie Road  
Charlottesville, Virginia 22903  
Major, Adjunct Criminal Law Professor

2008 – 2009  
United States Army  
Office of the Staff, Judge Advocate, XVIII Airborne Corps  
Attn: AFZA-JA  
2175 Reilly Road, Stop A  
Fort Bragg, North Carolina 28310

Major, Senior Trial Counsel  
Honorable Discharge

2005 – 2010

United States Army Reserve  
The Judge Advocate General's Corps  
1st Legal Support Organization  
1920 Harry Wurzbach  
San Antonio, Texas 78209  
Captain, Administrative Law Attorney

2001 – 2005

United States Army Reserve  
The Judge Advocate General's Corps  
5035th Garrison Support Unit (de-activated)  
Fort Bliss, Texas 79906  
First Lieutenant, Legal Assistance Attorney

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.

Army Commendation Medal (2004, 2007, 2009, 2010)  
Army Reserve Component Achievement Medal (2004, 2007, 2010)  
Operation Enduring Freedom Medal (2009)  
National Defense Service Ribbon (2009)  
Drug Enforcement Administration, Appreciation Award (2008)  
Overseas Training Service Ribbon (2008)  
United States Attorney's Office Sustained Superior Performance Award (2004, 2005, 2006, 2007, 2008)  
Army Achievement Medal (2003, 2008)  
United States Attorney's Office Special Act or Service Award (2004, 2008)  
Drug Enforcement Administration, Appreciation Award (2006)  
Federal Bureau of Investigation, Appreciation Award (2006)  
United States Border Patrol, Appreciation Award (2006)  
United States Attorney's Office On-the-Spot Award (2002)  
New Mexico Hispanic Bar Association Bar Examination Scholarship (1994)  
University of New Mexico School of Law, Dean's Award (1994)  
University of New Mexico Graduate Fellow (1991 – 1994)

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.

Attorney General's Advisory Committee subcommittees and working groups:  
Native American Issues Subcommittee (2010 – present)

Border & Immigration Subcommittee (Co-chair) ((2010 – present)  
Civil Rights Subcommittee (2012 – present)  
Controlled Substance & Asset Forfeiture Working Group (2010 – present)  
Environmental Issues Working Group (2010 – present)  
Medical Marijuana Working Group (2011 – present)  
Service Members and Veteran’s Rights Working Group (2012 – present)  
Resource Allocation Working Group (2012 – present)

District of New Mexico Anti-Terrorism Advisory Committee Coordinator (2004 – 2006)

District of New Mexico Joint Terrorism Task Force Liaison (2004 – 2006)

District of New Mexico International Issues Coordinator (2007 – 2010)

H. Verle Payne Inn of Court (1994 – 1995)

New Mexico Anti-Terrorism Task Advisory Committee (2010 – present)

New Mexico High Intensity Drug Trafficking Area Board of Directors (2010 – present)  
Chairman (2010 – 2011)

New Mexico Hispanic Bar Association  
Board of Directors, at-large (1994 – 1996; 2005 – 2009)  
Board of Directors, Law Student Representative (1992 – 1994)

New Mexico Joint Terrorism Task Force Executive Committee (2010 – present)

Oliver Seth Inn of Court (1994 – 1996)

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 Mexico, 1994

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 Court of Appeals for the Tenth Circuit, 2001  
United States District Court for the District of New Mexico, 1999  
New Mexico State Courts, 1994

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.

Boy Scouts of America, Yucca Council  
Assistant (Cub Scouts) Den Leader (2004 – 2006)

Las Cruces Country Club (2001 – 2003)  
Family swim membership (2001 – 2003)

Phi Alpha Delta Law Fraternity (1991 – Present)

University of New Mexico School of Law Alumni Association (1994 – 2010)  
Board of Directors, at-large (1995 – 1996; 2000 – 2010)

Wolf Pack Club, University of New Mexico athletics (1994 – 1996)

- 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.

The Boy Scouts of America limits certain programs to males. Otherwise, to the best of my knowledge, none of the organizations listed in response to 11a above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin.

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.



*Prescription Drugs Too Often Opening Gateway*, The Albuquerque Journal, July 25, 2011. Copy supplied.

*Summit Brings Native Youth Into Discussion of Future*, The Santa Fe New Mexican, July 23, 2011. Copy supplied.

*Message from the United States Attorney*, Indian Country Newsletter, United States Attorney's Office for the District of New Mexico, July 2011. Copy supplied.

*Join the Battle Against Sexual Violence*, The Albuquerque Journal, April 22, 2011. Copy supplied.

*Message from the United States Attorney*, Indian Country Newsletter, United States Attorney's Office for the District of New Mexico, April 2011. Copy supplied.

*Message from the United States Attorney*, Indian Country Newsletter, United States Attorney's Office for the District of New Mexico, June 2010 – December 2010. Copy supplied.

- 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.

I have never prepared any reports, memoranda, or policy statements for any bar association, committee, conference, or organization outside my work for the Department of Justice.

- 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.

I have never prepared any such materials.

- 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.

December 6, 2012: Speaker, Welcome remarks, FBI New Mexico Field Office All-Hands meeting. Kirtland Air Force Base, Albuquerque, New Mexico. Copy supplied.

November 8, 2012: Speaker, "Choices - Rewards and Consequences," Isleta Pueblo Elementary School, Isleta Pueblo, New Mexico. My remarks included a description of how young people make choices every day and illustrated the point by using the familiar number line to show how some choices lead to rewards (positive numbers) or consequences (negative numbers). I also described how negative choices often lead to addiction, jail, and separation of parents from children, and how positive choices can lead to strong bodies, healthy families and enjoyable life experiences. I used no notes, but generally followed a number-line illustration on a PowerPoint slide show, a copy of which is supplied for the July 25, 2011 event.

October 30, 2012: Speaker, Leadership New Mexico, Albuquerque Chamber of Commerce, Albuquerque, New Mexico. Copy supplied.

October 17, 2012: Speaker, "Moving Towards Civility," Teacher Training Conference on Bullying, New Mexico Human Rights Project, Albuquerque, New Mexico. Copy supplied and video is available at:  
<http://youtu.be/MaF1vMQom8I>.

October 10, 2012: Speaker, Rocky Mountain Investor Fraud Summit, Denver, Colorado. I delivered impromptu welcoming remarks for participants as well as a summary of significant investor fraud prosecutions in the District of New Mexico. I have no notes, transcript or recording. The event was sponsored by the Colorado University Denver School of Public Affairs, 1250 14th Street, Denver, Colorado 80202; the American Association of Retired People Foundation Colorado Programs/AARP Elderwatch, 303 East 17th Avenue, Denver, Colorado 80203; and the Better Business Bureau, 1020 Cherokee Street, Denver, Colorado 80204.

September 26, 2012: Facilitator/moderator, United States Attorney's Tribal Listening Session, Indian Pueblo Cultural Center, Albuquerque, New Mexico. Copy supplied.

August 28, 2012: Speaker, 20th Annual Four Corners Indian Country Conference, Pojoaque Pueblo, New Mexico. Copy supplied.

August 3, 2012: Facilitator/moderator, joint United States Attorney - Department of Justice, Environmental and Natural Resources Division Tribal listening session



on environmental justice, Bureau of Indian Affairs, Albuquerque, New Mexico. Copy supplied.

April 21, 2012: Panelist, Federal Law Enforcement, National Association of Hispanic Journalists Regional Conference, Albuquerque, New Mexico. Copy supplied.

April 16, 2012: Speaker, 3rd Annual Northern New Mexico Anti-Drug Summit, Pojoaque High School, Pojoaque, New Mexico. Copy supplied.

April 11, 2012: Speaker, "Choices – Rewards and Consequences," Escalante High School, Tierra Amarilla, New Mexico. My remarks included a description of how young people make choices every day and illustrated the point by using the familiar number line to show how some choices lead to rewards (positive numbers) or consequences (negative numbers). I also described how negative choices often lead to addiction, jail, and separation of parents from children, and how positive choices can lead to strong bodies, healthy families and enjoyable life experiences. I used no notes, but generally followed a number-line illustration on a PowerPoint slide show, a copy of which is supplied for the July 25, 2011 event.

March 27, 2012: Panelist, Tribal Listening Session, Office of United States Senator Jeff Bingaman, Office of Special Trustee, United States Department of Interior, Albuquerque, New Mexico. Copy supplied.

February 8, 2012: Speaker, Tribal Prescription Drug Abuse & Drug Endangered Children Training Conference, Albuquerque, New Mexico. Copy supplied.

January 31, 2012: Speaker, Field Hearing, United States Attorney General's Defending Childhood Task Force, Albuquerque, New Mexico. Copy supplied.

January 18, 2012: Speaker, Sheriffs' Affiliate, New Mexico Association of Counties, Santa Fe, New Mexico. Copy supplied.

January 17, 2012: Speaker, Cyberbullying and Prescription Drug Awareness and Training Workshop, Pojoaque High School, Pojoaque, New Mexico. Copy supplied.

December 13, 2011: Speaker, Interdepartmental Tribal Justice, Safety & Wellness Conference, Santa Ana (Bernalillo), New Mexico. Copy supplied.

November 19, 2011: Speaker, Roadrunner Food Bank Holiday Food Drive, Albuquerque, New Mexico. Copy supplied.

November 16, 2011: Speaker, All Indian Pueblo Council monthly meeting, Taos Pueblo, New Mexico. Copy supplied.

October 26, 2011: Speaker, "Choices - Rewards and Consequences," Mesa Vista High School, Ojo Caliente, New Mexico. My remarks included a description of how young people make choices every day and illustrated the point by using the familiar number line to show how some choices lead to rewards (positive numbers) or consequences (negative numbers). I also described how negative choices often lead to addiction, jail, and separation of parents from children, and how positive choices can lead to strong bodies, healthy families and enjoyable life experiences. I used no notes, but generally followed a number-line illustration on a PowerPoint slide show, a copy of which is supplied for the July 25, 2011 event.

October 24, 2011: Speaker, Department of Justice Gangs in Indian Country Training Conference, Santa Ana (Bernalillo), New Mexico. Copy supplied.

October 20, 2011, Speaker, Albuquerque Bench, Bar and Media Association luncheon, United States Attorneys Office, Albuquerque, New Mexico. PowerPoint copy supplied.

October 18, 2011: Speaker, Solo & Small Firm Practice Section Luncheon, New Mexico State Bar Association, Albuquerque, New Mexico. Copy supplied.

October 12, 2011: Speaker, Community Meeting, Albuquerque Heroin Awareness Committee, Albuquerque, New Mexico. Copy supplied.

October 11, 2011: Speaker, Panel Discussion at U.S. District Judge William Johnson's Law Class, Albuquerque, New Mexico. Copy Supplied.

September 30, 2011: Speaker, National Association of Former United States Attorneys Annual Conference, Santa Fe, New Mexico. Copy supplied.

September 13, 2011: Speaker, 19th Annual Four Corners Indian Country Conference, Southern Ute Indian Reservation, Colorado. Copy supplied.

August 31, 2011: Speaker, US/Mexico Bi-National Meeting, Federal Prosecutors Working Group Meeting, San Diego, California. Copy supplied.

August 22, 2011: Speaker, Rotary Club of Albuquerque, Albuquerque, New Mexico. Copy supplied.

August 19, 2011: Speaker, Border Security Center for Research Training and Technical Assistance Meeting. Copy supplied.

July 25, 2011: Speaker, Annual Inter-Tribal Youth Summit, Santa Fe Indian School, Santa Fe, New Mexico. My remarks included a description of how young people make choices every day and illustrated the point by using the familiar number line to show how some choices lead to rewards (positive numbers) or consequences (negative numbers). I also described how negative choices often

lead to addiction, jail, and separation of parents from children, and how positive choices can lead to strong bodies, healthy families and enjoyable life experiences. I used no notes, but generally followed a number-line illustration on a Power Point slide show, a copy of which I have supplied.

June 28, 2011: Speaker, Isleta Indian Pueblo Youth and Community Public Safety Seminar, Isleta Pueblo, New Mexico. Impromptu remarks relating to choices that young people have to make relating to drugs, gangs, bullying, as well as the consequences from bad choices and rewards from good choices. I have no notes, transcript or recording. The event was sponsored by Isleta Pueblo and held at the Isleta Pueblo Recreation Center, Tribal Road 40, Building 60, Isleta Pueblo, New Mexico.

June 23, 2011: Speaker, Tribal SAUSA MOU Signing Ceremony, Albuquerque, New Mexico. Copy supplied.

June 23, 2011: Speaker, Camp Triumph Youth graduation ceremony. I delivered impromptu welcoming remarks for middle-school age participants and their parents. I have no notes, transcript or recording. The event was sponsored by the United States Attorney's Office Project Safe Neighborhood Program, 201 Third Street, NW, Suite 900, Albuquerque, New Mexico 87102.

June 23, 2011: Speaker, 13th Judicial District Attorney's Office 3rd Annual Gangs, Drugs and Prosecution Conference, Belen, New Mexico. Copy supplied.

June 14, 2011: Speaker, FBI Civil Rights Town Hall Meeting, Gallup, New Mexico. Copy supplied.

June 4, 2011: Speaker, Pojoaque High School Graduation Ceremony, Pojoaque High School, Pojoaque, New Mexico. Copy supplied.

May 24, 2011: Speaker, Offender Reentry Provisions in Tribal Law and Order Act of 2010 and Interagency Agreements Webinar, Albuquerque, New Mexico. Copy supplied.

May 24, 2011: Speaker, Tribal Prescription Drug Abuse and Endangered Children Training and Technical Assistance Conference, Albuquerque, New Mexico. Copy supplied.

May 13, 2011: Speaker, Naturalization Ceremony, Albuquerque, New Mexico. Copy supplied.

May 12, 2011: Speaker, FBI Civil Rights Conference, University of New Mexico, Albuquerque, New Mexico. Copy supplied.

May 6, 2011: Speaker, New Mexico District Attorneys Association Annual Conference, Santa Clara (Bernalillo), New Mexico. Copy supplied.

May 4, 2011: Speaker, District of New Mexico Special Agents in Charge Meeting on Officer Safety, United States Attorney's Office, Albuquerque, New Mexico. Copy supplied.

April 28, 2011: Speaker, Roswell/Chavez County Public Safety Meeting, Espanola, New Mexico. Copy supplied.

April 20, 2011: Speaker, 2nd Annual Northern New Mexico Anti-Drug Summit, Espanola, New Mexico. Copy supplied.

April 12, 2011: Speaker, Prescription Drug Abuse Epidemic Training Conference, Drug Enforcement Administration, Albuquerque, New Mexico. Copy supplied.

March 25, 2011: Speaker, 75th Annual New Mexico Sheriffs and Police Officers Association Conference, Albuquerque, New Mexico. Copy supplied.

March 7, 2011: Speaker, 13th Annual National Consumer Protection Week Conference, Albuquerque, New Mexico. Copy supplied.

February 24, 2011: Speaker, New Mexico Analysts Working Group Inaugural Meeting, Albuquerque Police Department substation, 2nd Street, Albuquerque, New Mexico. Copy supplied.

January 4, 2011: Speaker, Albuquerque Bar Association Luncheon, Albuquerque, New Mexico. Copy supplied.

December 3, 2010: Speaker, FBI All-Hands Meeting, Kirtland Air Force Base, Albuquerque, New Mexico. Copy supplied.

November 30, 2010: Speaker, District of New Mexico First Annual Tribal Consultation, Indian Pueblo Cultural Center, Albuquerque, New Mexico. Copy supplied.

October 25, 2010: Speaker, "Gangs in Indian Country" Training Conference, Department of Justice, Gallup, New Mexico. Copy supplied.

September 21, 2010: Speaker, Use of Statistics for Law Enforcement, 2010 Uniform Crime Reporting and National Incident Based Reporting Training Conference, Albuquerque, New Mexico. Copy supplied.

September 14, 2010: Speaker, "Choices – Rewards and Consequences," Zia Middle School, Artesia, New Mexico. I delivered impromptu remarks to middle school children relating to choices that young people have to make relating to

drugs, gangs, and bullying, as well as the consequences from bad choices and rewards from good choices. I have no notes, transcript or recording. The event was sponsored by the United States Attorney's Office for the District of New Mexico, Project Safe Neighborhood Program, 201 Third Street NW, Suite 900, Albuquerque, New Mexico 87102.

September 13, 2010: Speaker, New Mexico Gang Task Force Training/Town Hall, Artesia Community Center, Artesia, New Mexico. Copy of notes, PowerPoint, and handout supplied.

September 10, 2010: Panelist, "Sentencing in a Post-Booker World," Hispanic Bar Association Annual Conference, Minneapolis, Minnesota. PowerPoint supplied.

July 21, 2010: Panelist, 2012 National Inter-Tribal Youth Summit Listening Session. I made impromptu remarks to a select group of youth participants to congratulate them for their leadership in their home communities and schools and for overcoming adversity of many varieties to become role models for younger people. I have no notes, transcript, or recording. The event was sponsored by the Institute of American Indian Arts, 83 Avan Nu Po Road, Santa Fe, New Mexico 87508.

May 28, 2010, Speaker, Naturalization Ceremony, Las Cruces, New Mexico. I used the same notes supplied for the May 13, 2011 event.

April 16, 2010: Speaker, Naturalization Ceremony, Albuquerque, New Mexico. I used the same notes supplied for the May 13, 2011 event.

June 22, 2006: Speaker, "Preparing for Pandemic Influenza," 2nd Annual Border Emergency Preparedness Summit, El Paso, Texas. Copy supplied.

2003 – 2006: Guest lecturer, Mayfield High School, Las Cruces, New Mexico. I spoke to the Government class each Spring semester, and the Law class each Fall semester. On each occasion, my remarks were limited to explaining the separation of powers between the branches of government, as well as giving a general description of the functions of each branch, with a particular focus on the Department of Justice and the United States Attorney's Office. I have no notes, transcript, or recording. Mayfield High School is located at 1955 North Valley Drive, Las Cruces, New Mexico 88007.

- 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.



I have done my best to identify all items called for in this question, including a thorough review of my personal files and searches of publicly available electronic databases. In my official capacity as U.S. Attorney, I periodically give interviews to local radio, television and print media reporters. I do not recall all the interviews I have given or the dates on which I gave those interviews. The interviews have centered on particular cases my office has prosecuted during my term, law enforcement initiatives, community and Tribal outreach initiatives, and Department initiatives as they have related to the District of New Mexico. I have located the following interviews, press conferences, and press releases listed below.

Interviews:

Colleen Keane, *Justice Denied, A Tangled Bureaucracy Has Left Tribal Communities Facing an Epidemic of Violent Crime*, The Santa Fe Reporter, October 2, 2012. Copy supplied.

Bill Diven and Alex Goldsmith, *Vaughan Sentenced in Massive Swindle*, KRQE TV, September 6, 2012. Video available at: <http://www.krqe.com/dpp/news/crime/vaughan-sentenced-in-massive-swindle>.

Mike Gallagher, *Deadly Addiction – New Mexico's Love Affair with Drugs*, The Albuquerque Journal, August 12 – 15, 2012. Copy supplied.

Deanna Saucedo, *Feds Indict Guards in Inmate Beating*, KRQE TV, June 29, 2012. Video available at: <http://www.krqe.com/dpp/news/crime/feds-indict-guards-in-inmate-beating>.

*Profile: Kenneth Gonzales*, New Mexico Hispanic Bar Association Monthly Newsletter, March 29, 2012. Copy supplied.

*Man Gets 2 Years for Semen Sample at Sunflower Market*, KOAT TV, March 1, 2012. Copy supplied.

Nicole Brady, interview related to the prescription drug overdose problem in New Mexico, KOB TV, February 2012. DVD supplied.

Kevin McDonald, *New Mexico in Focus*, KNME TV, February 2012. Video available at: [http://www.youtube.com/watch?v=nEFZboPyNec&playnext=1&list=PLA50589FAC78BB9BE&feature=results\\_main](http://www.youtube.com/watch?v=nEFZboPyNec&playnext=1&list=PLA50589FAC78BB9BE&feature=results_main) and <http://www.youtube.com/watch?v=JqT6hRnfwds>.

Alex Goldsmith, *NM Hosts Federal Task Force on Abuse*, KRQE TV, January 31, 2012. Video available at: [http://www.kasa.com/dpps/news/crime/task-force-aims-to-cut-down-on-abuse\\_4059028](http://www.kasa.com/dpps/news/crime/task-force-aims-to-cut-down-on-abuse_4059028).



Deanna Saucedo, *Feds Want to Put Away Worst Offenders*, KRQE TV, January 30, 2012. Video available at: <http://www.krqe.com/dpp/news/crime/feds-want-to-put-away-worst-offenders>.

*Journey Through Indian Country*, Federal Bureau of Investigation, 2012. My statement can be found at: [http://www.fbi.gov/news/stories/2012/june/indian-country\\_060112/kenneth-gonzales](http://www.fbi.gov/news/stories/2012/june/indian-country_060112/kenneth-gonzales).

*Doug Vaughan Pleads Guilty, Faces Prison Time*, KOAT TV, December 21, 2011. Copy supplied.

November 19, 2011: I gave a brief on-camera interview to KOB-TV news anchors Nicole Brady and Tom Joles during the Roadrunner Food Bank Holiday Food Drive, ABQ Uptown shopping center, Albuquerque, New Mexico. I have been unable to obtain a transcript or recording from the television station.

Staff Reporter, *No Charges Filed in Bicyclist's Death*, The Albuquerque Journal on-line, September 30, 2011. Copy supplied.

Diane J. Schmidt, *Summit: Youth Can Lead the Grassroots*, Gallup Independent, August 4, 2011. Copy supplied.

Media Conference Call regarding one-year anniversary of the Tribal Law and Order Act, July 27, 2011. I have been unable to obtain a transcript or recording of the interview.

Nico Roesler, *Indian Country Teens Gather in Santa Fe for Summit to Focus on Tribes' Toughest Issues*, Santa Fe New Mexican, July 25, 2011. Copy supplied.

*2011 National Intertribal Youth Summit (NIYS) in Santa Fe, New Mexico*, The Department of Justice, July 25, 2011. Video available at: <http://www.youtube.com/watch?v=U0Ga9UrMyi8>.

Alex Tomlin, *13 Busted in Heroin Ring Targeting Kids*, KRQE TV, July 22, 2011. Video available at: <http://www.krqe.com/dpp/news/crime/13-busted-in-heroin-ring-targeting-kids>.

Jeri Clausing, *US Attorney Hires Tribal Prosecutor*, Associated Press, May 28, 2011. Copy supplied.

Alex Tomlin, *Child Sex Predators Come to NM for Sex*, KRQE TV, May 24, 2011. Video available at: <http://www.krqe.com/dpp/news/crime/child-sex-predators-come-to-nm-for-sex>.

Crystal Gutierrez, *Father and Son Admit to Drug Pushing*, KRQE TV, May 13, 2011. Video available at: <http://www.krqe.com/dpp/news/crime/father-and-son-admit-to-drug-pushing>.

Michael Martinez, *Federal Gun Raid Leaves Border Town Without Mayor, Police Chief*, CNN, March 10, 2011. Copy supplied.

*Vaughan's Neighbors Have Noticed Investigators in Area*, KOB TV, February 25, 2011. Video available at: <http://www.youtube.com/watch?v=DQK-oBC71PA&feature=plcp>.

*Interview of U.S. Attorney Kenneth J. Gonzales*, Defense News, New Mexico Defense Lawyers Association Newsletter, December 14, 2010. Copy supplied.

Jeff Todd, *Ariz. Judge Keeps N.M. Murder Suspects*, KRQE, October 28, 2010. Video available at: <http://www.krqe.com/dpp/news/crime/az-judge-keeping-accused-nm-killers>.

*73 Armenian Arrested for Biggest Medicare Fraud in USA History*, KOB TV, October 2010. A portion of the interview was reported in a story that can be found at: <http://www.youtube.com/watch?v=D1PpRZ43vYY&feature=fvsr>.

*Feds Prep for 'Heftier' Alien Caseload: Immigration Screenings Will Mean More Work*, KRQE TV, May 20, 2010. Copy supplied.

Jay Root, *Suspect in Mexican Killings Underscores Revolving Door at US-Mexico Border*, McClatchy-Tribune News Service, August 24, 2006. Copy supplied.

#### Press Conferences:

On November 27, 2012, I held a press conference with Tom Perez, Assistant Attorney General for the Civil Rights Division (CRD) of the Department of Justice, Richard Berry, Mayor of the City of Albuquerque, and Ray Schultz, Chief of Police, for the purpose of announcing the CRD's decision to launch a "pattern or practice" civil rights investigation into the Albuquerque Police Department. My remarks were limited to welcoming the attendees and introducing the speakers. Copy supplied.

August 9, 2012: I held a press conference with District Attorney Richard Flores to announce federal charges against 25 individuals in a DEA-led drug trafficking investigation in San Miguel County. Notes supplied.

July 20, 2012: I held a press conference to announce federal charges in *United States v. Armenta, et al.*, against 23 individuals as a result of a joint ATF-Farmington Gang Unit investigation in San Juan County. Notes supplied and video is available at:

<http://www.krqe.com/dpp/news/crime/gun-sweep-targets-four-corners-felons>.

June 28, 2012: I held a press conference to announce federal charges in *United States v. Erives-Lopez, et al.*, against 14 Santa Fe area men for cocaine trafficking. Notes supplied.

August 18, 2011: I held a press conference to announce guilty pleas of three defendants in *United States v. Beebe, et al.*, for racially-motivated assault on Navajo man. Notes supplied.

February 25, 2011: I held a press conference to announce a federal indictment in *United States v. Vaughn*, a \$74 million “Ponzi” scheme. Notes supplied and videos are available here: <http://www.youtube.com/watch?v=HWfVlzsdMcA> and [http://www.youtube.com/watch?v=suK\\_C1M1fbc](http://www.youtube.com/watch?v=suK_C1M1fbc).

September 17, 2010: I held a press conference to announce a federal indictment in *United States v. Mascheroni, et al.*, against a retired Los Alamos National Laboratory physicist and his spouse for transmitting classified data to injure the United States. Notes supplied and videos are available at: <http://www.youtube.com/watch?v=iXxWeLcus2w> and <http://www.krqe.com/dpp/news/crime/ex-lanl-couple-charged-in-nuke-case>.

August 23, 2010: I held a press conference to announce federal charges filed in *United States v. McCluskey, et al.*, against three individuals for causing the deaths of an Oklahoma couple traveling through New Mexico. Notes supplied.

June 10, 2010: I held a press conference to announce the results of a Drug Enforcement Administration operation in Espanola, New Mexico. Notes for the DEA operation announcement supplied.

June 10, 2010: At my request, Assistant United States Attorney Renee Camacho read a statement on my behalf at a press conference in El Paso, Texas, to announce a 36-count federal indictment of Southern New Mexico drug trafficking organization. Copy supplied.

May 4, 2010: I held a press conference to announce my priorities for the District of New Mexico. The press conference was held at the United States Attorney’s Office in Albuquerque, New Mexico. Copy supplied.

March 5, 2010: I held a brief press conference in response to the President’s announcement that he was nominating me to be the United States Attorney for the District of New Mexico. The press conference was held on the front steps of the Pete V. Domenici United States Courthouse in Albuquerque, New Mexico. It was covered by television and print news media. My comments were very brief, focused on thanking the President as well as United States Senators Jeff

Bingaman and Tom Udall. I have been unable to locate any notes, transcript or recording.

Press Releases:

Press release, *Nineteen Members of New Mexico Drug Trafficking Organization Indicted on Drug Trafficking and Money Laundering Charges*, United States Attorney's Office for the District of New Mexico, December 17, 2012. Copy supplied.

Press release, *U.S. Attorney's Office Collects Almost \$10 Million in Civil & Criminal Actions in FY 2012*, United States Attorney's Office for the District of New Mexico, December 10, 2012. Copy supplied.

Press release, *Justice Department Launches Investigation of the Albuquerque Police Department's Use of Force*, United States Attorney's Office for the District of New Mexico, November 27, 2012. Copy supplied.

Press release, *Former San Juan County Sheriff's Deputy Pleads Guilty to Violating Civil Rights of Man by Assaulting Him with a Flashlight*, United States Attorney's Office for the District of New Mexico, October 24, 2012. Copy supplied.

Press release, *Former Shiprock Corrections Officer Sentenced for Sexually Assaulting Inmate*, United States Attorney's Office for the District of New Mexico, October 22, 2012. Copy supplied.

Press release, *U.S. Attorney Kenneth J. Gonzales Names District Election Officer*, United States Attorney's Office for the District of New Mexico, October 17, 2012. Copy supplied.

Press release, *Armed Career Criminal from Roswell Sentenced to Almost 25 Years in Prison*, United States Attorney's Office for the District of New Mexico, September 19, 2012. Copy supplied.

Press release, *Douglas F. Vaughn Sentenced to 12 Years for Federal Wire and Mail Fraud Charges Involving "Ponzi" Scheme*, United States Attorney's Office for the District of New Mexico, September 5, 2012. Copy supplied.

Press release, *Federal Indictments Charge Seventeen Defendants for Trafficking Drugs in Lincoln and Otero Counties*, United States Attorney's Office for the District of New Mexico, August 17, 2012. Copy supplied.

Press release, *Twenty-five Charged with Federal Narcotics Trafficking Offenses as a Result of DEA-led Investigation in San Miguel County*, United States

Attorney's Office for the District of New Mexico, August 9, 2012. Copy supplied.

Press release, *Four Albuquerque Residents Arrested in Connection with Nationwide Synthetic Designer Drug Takedown*, United States Attorney's Office for the District of New Mexico, July 26, 2012. Copy supplied.

Press release, *Twenty-three Individuals Charged as a Result of Joint ATF-Farmington Gang Unit Investigation in San Juan County*, United States Attorney's Office for the District of New Mexico, July 20, 2012. Copy supplied.

Press release, *Former Shiprock Detention Officer Pleads Guilty to Civil Rights Violations of Inmate*, United States Attorney's Office for the District of New Mexico, July 12, 2012. Copy supplied.

Press release, *Former San Juan County Sheriff's Deputy Indicted for Using Excessive Force*, United States Attorney's Office for the District of New Mexico, June 29, 2012. Copy supplied.

Press release, *Three Albuquerque Men Indicted on Federal Civil Rights and Obstruction Charges*, United States Attorney's Office for the District of New Mexico, June 29, 2012. Copy supplied.

Press release, *Fourteen Santa Fe-Area Men Face Cocaine Trafficking Charges as a Result of Multi-Agency Investigation*, United States Attorney's Office for the District of New Mexico, June 28, 2012. Copy supplied.

Press release, *Operation Artemis: A Multi-Agency Statewide Operation Targeting Child Pornography Offenders*, United States Attorney's Office for the District of New Mexico, March 30, 2010. Copy supplied.

Press release, *NMSU Student Charge with Making False Bomb Threat*, United States Attorney's Office for the District of New Mexico, March 28, 2012. Copy supplied.

Press release, *Kevin Garner Receives 115-Month Prison Sentence for Drug Trafficking Offense Involving 1/4 Ounce of Methamphetamine*, United States Attorney's Office for the District of New Mexico, March 28, 2012. Copy supplied.

Press release, *Former New Mexico Corrections Department Official Sentenced to 70 Months for Bribery Conviction*, United States Attorney's Office for the District of New Mexico, March 20, 2012. Copy supplied.

Press release, *Former Officers of New Mexico-based Defense Contractor Charged in Fraud and Money Laundering Schemes Related to Rebuilding Efforts in Iraq*,



United States Attorney's Office for the District of New Mexico, March 2, 2012. Copy supplied.

Press release, *Federal Indictment Charges Fifteen with Methamphetamine Trafficking Charges*, United States Attorney's Office for the District of New Mexico, March 2, 2012. Copy supplied.

Press release, *Albuquerque Man Sentenced to 24 Months in Prison for Adulterating Yogurt with Semen*, United States Attorney's Office for the District of New Mexico, March 1, 2012. Copy supplied.

Press release, *Federal Indictment Charges Eight Albuquerque Residents with Illegal Distribution of Prescription Drugs*, United States Attorney's Office for the District of New Mexico, February 23, 2012. Copy supplied.

Press release, *Attorney General Eric Holder's Task Force Examines Children's Exposure to Violence in Rural and Tribal Communities*, United States Attorney's Office for the District of New Mexico, January 31, 2012. Copy supplied.

Press release, *Federal Indictment Charges Fifteen Men from Albuquerque and Edgewood with Drug Trafficking and Financial Crimes*, United States Attorney's Office for the District of New Mexico, January 27, 2012. Copy supplied.

Press release, *Federal Agents Dismantle Anthony, N.M., Drug Trafficking Ring*, United States Attorney's Office for the District of New Mexico, January 27, 2012. Copy supplied.

Press release, *Two Men Sentenced for Racially-motivated Assault in Farmington, New Mexico*, United States Attorney's Office for the District of New Mexico, January 25, 2012. Copy supplied.

Press release, *Silver City Man Indicted for Using Stolen Identities to Obtain Tax Refunds*, United States Attorney's Office for the District of New Mexico, January 24, 2012. Copy supplied.

Press release, *Douglas F. Vaughan Pleads to Federal Wire and Mail Fraud Charges Involving "Ponzi" Scheme*, United States Attorney's Office for the District of New Mexico, December 21, 2011. Copy supplied.

Press release, *Federal Investigation Dismantles Major Methamphetamine Trafficking Operating in Southern New Mexico*, United States Attorney's Office for the District of New Mexico, November 30, 2011. Copy supplied.

Press release, *Repeat Offender Sentenced to 292 Months Imprisonment for Federal Narcotics and Firearms Conviction*, United States Attorney's Office for the District of New Mexico, November 30, 2011. Copy supplied.



Press release, *Albuquerque Man Pleads Guilty to Adulterating Yogurt with Semen*, United States Attorney's Office for the District of New Mexico, October 6, 2011. Copy supplied.

Press release, *84 Defendants Charged with Drug Trafficking Offenses as a Result of DEA "MET" Operation in Roswell, New Mexico*, United States Attorney's Office for the District of New Mexico, September 23, 2011. Copy supplied.

Press release, *Former APD Officer Sentenced to Twelve Months for Federal Obstruction of Justice Conviction*, United States Attorney's Office for the District of New Mexico, September 19, 2011. Copy supplied.

Press release, *El Paso Man Charged with Causing the "Last Chance Fire" in Lincoln National Forest*, United States Attorney's Office for the District of New Mexico, September 2, 2011. Copy supplied.

Press release, *Owners/Operators of Gun Shop in Deming, NM Arrested on Federal Firearms Smuggling and Money Laundering Charges*, United States Attorney's Office for the District of New Mexico, August 30, 2011. Copy supplied.

Press release, *Federal Jury Finds Jeremiah Jackson Guilty of Bank Robbery and Killing Two Women*, United States Attorney's Office for the District of New Mexico, August 24, 2011. Copy supplied.

Press release, *Farmington Men Plead Guilty to Racially-Motivated Assault*, United States Attorney's Office for the District of New Mexico, August 18, 2011. Copy supplied.

Written public statement, White (forest) Fire investigation, Lincoln National Forest, August 4, 2011. Copy supplied.

Press release, *Consultants to Former New Mexico Secretary of State Charged with Theft of Government Property and Obstruction of Justice in Federal Superseding Indictment*, United States Attorney's Office for the District of New Mexico, July 28, 2011. Copy supplied

Press release, *Students from Jemez and Taos Pueblos Selected to Attend National Inter-Tribal Youth Summit*, United States Attorney's Office for the District of New Mexico, July 22, 2011. Copy supplied.

Press release, *Thirteen Facing Federal Charges for Trafficking Heroin in Northeast Heights of Albuquerque*, United States Attorney's Office for the District of New Mexico, July 21, 2011. Copy supplied.

Press release, *United States Attorney and United States Marshal Establish New Asset Recovery Unit*, United States Attorney's Office for the District of New Mexico, July 20, 2011. Copy supplied.

Press release, *Federal Grand Jury Indicts Albuquerque Man on Federal Charges for Adulterating Yogurt With Semen*, United States Attorney's Office for the District of New Mexico, July 14, 2011. Copy supplied.

Press release, *Five Residents of Valencia and Socorro Counties Arrested on Federal Methamphetamine Trafficking Charges*, United States Attorney's Office for the District of New Mexico, July 1, 2011. Copy supplied.

Press release, *Justice Department Reaches Agreement to Protect Rights of Military and Overseas Voters in New Mexico*, United States Attorney's Office for the District of New Mexico, June 30, 2011. Copy supplied.

Press release, *Carlsbad Physician and Wife Sentenced on Federal Tax Evasion Conviction*, United States Attorney's Office for the District of New Mexico, May 17, 2011. Copy supplied.

Press release, *Albuquerque Man Receives 10-Year Prison Sentence for Drug Trafficking Conviction*, United States Attorney's Office for the District of New Mexico, May 5, 2011. Copy supplied.

Press release, *Former New Mexico Corrections Department Official Indicted on Federal Bribery Charges*, United States Attorney's Office for the District of New Mexico, April 14, 2011. Copy supplied.

Press release, *Police Chief, Mayor, Village Trustee of Columbus, New Mexico Indicted in Federal Firearms Trafficking Case*, United States Attorney's Office for the District of New Mexico, March 10, 2011. Copy supplied.

Press release, *Corrales Man Pleads Guilty to Federal Wire Fraud Offense*, United States Attorney's Office for the District of New Mexico, March 3, 2011. Copy supplied.

Press release, *Former Youth Minister Receives 18-year Sentence for Federal Child Pornography Conviction*, United States Attorney's Office for the District of New Mexico, March 3, 2011. Copy supplied.

Press release, *Los Lunas Man Receives 37-Month Prison Sentence for Federal Firearms Conviction*, United States Attorney's Office for the District of New Mexico, March 2, 2011. Copy supplied.

Press release, *Jicarilla Man Receives 27-Month Sentence for Federal Firearms Convictions*, United States Attorney's Office for the District of New Mexico, March 1, 2011. Copy supplied.

Press release, *United States v. Korzec – Lamy Man Receives 24-month Sentence for Federal Attempted Bank Robbery Conviction*, United States Attorney's Office for the District of New Mexico, March 1, 2011. Copy supplied.

Press release, *Douglas F. Vaughan Indicted in "Ponzi" Scheme*, United States Attorney's Office for the District of New Mexico, February 25, 2011. Copy supplied.

Press release, *Dexter Man Sentenced for Federal Firearms Offense*, United States Attorney's Office for the District of New Mexico, February 16, 2011. Copy supplied.

Press release, *Albuquerque Man Receives 100-month Prison Sentence for Assaulting Federal Officer*, United States Attorney's Office for the District of New Mexico, February 9, 2011. Copy supplied.

Press release, *Federal Prosecutor Appointed to Violence Against Women Federal and Tribal Prosecution Task Force*, United States Attorney's Office for the District of New Mexico, January 21, 2011. Copy supplied.

Press release, *Roswell Man Convicted of Federal Firearms Charge*, United States Attorney's Office for the District of New Mexico, January 21, 2011. Copy supplied.

Press release, *Navajo Man Receives Life Sentence for Murder of Common-law Wife*, United States Attorney's Office for the District of New Mexico, January 11, 2011. Copy supplied.

Press release, *U.S. Attorneys' Office Contributed to \$6.68 Billion in Civil & Criminal Collections in Fiscal Year 2010*, United States Attorney's Office for the District of New Mexico, December 16, 2010. Copy supplied.

Press release, *Former APD Officer Convicted on Obstruction of Justice Charge*, United States Attorney's Office for the District of New Mexico, December 16, 2010. Copy supplied.

Press release, *Navajo Man Receives 20-Year Sentence on Homicide and Robbery Conviction after Competency Proceedings*, United States Attorney's Office for the District of New Mexico, December 2, 2010. Copy supplied.

Press release, *DEA Operations Dismantle Two Major Heroin Trafficking Organizations*, United States Attorney's Office for the District of New Mexico, November 18, 2010. Copy supplied.

Press release, *Deming Man Pleads Guilty to Assaulting Border Patrol Agent*, United States Attorney's Office for the District of New Mexico, November 18, 2010. Copy supplied.

Press release, *Federal Indictment Prompts Arrests of Drug Traffickers in Southern New Mexico and El Paso, Texas*, United States Attorney's Office for the District of New Mexico, November 16, 2010. Copy supplied.

Press release, *Former Pojoaque Pueblo Official Sentenced to a Year Imprisonment on Federal Conviction*, United States Attorney's Office for the District of New Mexico, November 2, 2010. Copy supplied.

Press release, *Former Insurance Salesman Charged with Fraud*, United States Attorney's Office for the District of New Mexico, October 28, 2010. Copy supplied.

Press release, *Statement by U.S. Attorney Kenneth J. Gonzales Regarding Extradition of McCluskey Defendants*, United States Attorney's Office for the District of New Mexico, October 28, 2010. Copy supplied.

Press release, *Roswell Man Pleads Guilty to Federal Firearms Charges*, United States Attorney's Office for the District of New Mexico, October 25, 2010. Copy supplied.

Press release, *United States Attorney Names District Election Officer*, United States Attorney's Office for the District of New Mexico, October 25, 2010. Copy supplied.

Press release, *Jicarilla Apache Woman Charged with DUI-Related Vehicular Homicide*, United States Attorney's Office for the District of New Mexico, October 22, 2010. Copy supplied.

Press release, *Albuquerque Man Sentenced on Bankruptcy Fraud Conviction*, United States Attorney's Office for the District of New Mexico, October 21, 2010. Copy supplied.

Press release, *Man Pleads Guilty to Silver City Attempted Carjacking*, United States Attorney's Office for the District of New Mexico, October 19, 2010. Copy supplied.

Press release, *Nine Drug Traffickers in McKinley County Charged with Federal Drug Trafficking Offenses*, United States Attorney's Office for the District of New Mexico, October 19, 2010. Copy supplied.

Press release, *Members of Organized Crime Enterprise Charged with Federal Health Care Fraud Offenses*, United States Attorney's Office for the District of New Mexico, October 13, 2010. Copy Supplied.

Press release, *Navajo Man Faces Attempted Murder Charges*, United States Attorney's Office for the District of New Mexico, October 8, 2010. Copy supplied.

Press release, *Carlsbad Physician and Wife Convicted on Federal Tax Charges*, United States Attorney's Office for the District of New Mexico, September 30, 2010. Copy supplied.

Press release, *Operation Predator: Multi-Agency Statewide Operation Targeting Child Pornography Offenders*, United States Attorney's Office for the District of New Mexico, September 29, 2010. Copy supplied.

Press release, *United States and Santa Fe Waste Management Reach Settlement in Unauthorized Mineral Sale*, United States Attorney's Office for the District of New Mexico, September 24, 2010. Copy supplied.

Press release, *Former CYFD Official Sentenced in Federal Court on Child Pornography Offense*, United States Attorney's Office for the District of New Mexico, September 23, 2010. Copy supplied.

Press release, *Former Workers at Los Alamos Charged with Transmitting Classified Nuclear Weapons Data to Injure the United States*, United States Attorney's Office for the District of New Mexico, September 17, 2010. Copy supplied.

Press release, *Navajo Man Guilty of Murdering Common-Law Wife*, United States Attorney's Office for the District of New Mexico, September 15, 2010. Copy supplied.

Press release, *Former LANL Employee Sentenced for Stealing Irradiated Gold*, United States Attorney's Office for the District of New Mexico, August 31, 2010. Copy supplied.

Press release, *Retired Attorney Pleads Guilty to Receipt of Child Pornography*, United States Attorney's Office for the District of New Mexico, August 30, 2010. Copy supplied.



Press release, *Arizona Fugitives Charged with Causing the Deaths of Oklahoma Couple*, United States Attorney's Office for the District of New Mexico, August 23, 2010. Copy supplied.

Press release, *Albuquerque Man Guilty of Assaulting Federal Officer*, United States Attorney's Office for the District of New Mexico, August 22, 2010. Copy supplied.

Press release, *Las Cruces Jury Convicts Farmington Gang Member of Federal Drug Trafficking and Firearms Charges*, United States Attorney's Office for the District of New Mexico, August 17, 2010. Copy supplied.

Press release, *Nurse Practitioner and Associates Arrested on Federal Drug Charges*, United States Attorney's Office for the District of New Mexico, July 22, 2010. Copy supplied.

Press release, *Three Charged with Manipulating Drug Tests for Criminal Defendants*, United States Attorney's Office for the District of New Mexico, July 19, 2010. Copy supplied.

Press release, *Justice Department Announces Local Recipient of Annual Project Safe Neighborhoods Achievement Award*, United States Attorney's Office for the District of New Mexico, July 14, 2010. Copy supplied.

Press release, *Silver City Man Sentenced in Federal Court Today for Excavating Archeological Artifacts in the Gila National Forest*, United States Attorney's Office for the District of New Mexico, June 30, 2010. Copy supplied.

Press release, *DEA "MET" Hits Drug Traffickers in Espanola Valley*, United States Attorney's Office for the District of New Mexico, June 10, 2010. Copy supplied.

Press release, *Thirty-six Count Federal Indictment Prompts Arrests of Local Drug Traffickers*, United States Attorney's Office for the District of New Mexico, June 10, 2010. Copy supplied.

Press release, *U.S. Attorney's Office to Receive New Resources to Combat Crime and Improve Communication in Indian Country*, United States Attorney's Office for the District of New Mexico, May 6, 2010. Copy supplied.

Press release, *United States Attorney Kenneth J. Gonzales Announces Priorities for his Administration*, United States Attorney's Office for the District of New Mexico, May 4, 2010. Copy supplied.



Press release, *U.S. Senate Confirms Appointment of Kenneth J. Gonzales to position of U.S. Attorney*, United States Attorney's Office for the District of New Mexico, April 30, 2010. 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 never held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?

i. Of these, approximately what percent were:

jury trials:	___%
bench trials:	___% [total 100%]
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 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 (3) 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 never 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.

I was appointed as the United States Attorney for the District of New Mexico on April 30, 2010, by President Barack Obama.

- 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.

I have not held office in or provided services to a political party or election committee. I have not held a position or played a role in a political campaign.

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 1994 to 1996, I served as a law clerk to the Honorable Joseph F. Baca, Chief Justice of the New Mexico Supreme Court.

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.

1996 – 1999  
United States Senate  
Office of Senator Jeff Bingaman  
703 Hart Senate Office Building  
Washington, D.C. 20510  
Legislative Assistant

2001 – 2005  
United States Army Reserve  
The Judge Advocate General's Corps  
5035th Garrison Support Unit (de-activated)  
Fort Bliss, Texas 79901  
Captain, Legal Assistance Attorney

2005 – 2010  
United States Army Reserve  
The Judge Advocate General's Corps  
1st Legal Support Organization  
1920 Harry Wurzbach  
San Antonio, Texas 78209  
Captain, Legal Assistance Attorney

2008 – 2009  
United States Army

The Judge Advocate General's Corps  
Office of the Staff, Judge Advocate  
HQ, XVIII Corps  
Attn: AFZA-JA, Stop A  
Fort Bragg, North Carolina 28310  
Captain, Senior Trial Counsel

2010 – Present  
United States Army Reserve  
The Judge Advocate General's Corps  
The Judge Advocate General's Legal Center and School  
600 Massie Road  
Charlottesville, Virginia 22903  
Major, Adjunct Criminal Law Professor

1999 – Present  
United States Attorney's Office – District of New Mexico  
201 Third Street, NW, Suite 900  
Albuquerque, New Mexico 87102  
United States Attorney (2010 – Present)  
Assistant United States Attorney (1999 – 2010)

- 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.

b. Describe:

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

Legislative Assistant

From 1996 to 1999, I worked for United States Senator Jeff Bingaman in Washington, DC, as a Legislative Assistant. My legislative portfolio included such policy areas as criminal and juvenile justice, Indian affairs, transportation, small business, rural development and infrastructure. The duties included drafting and monitoring pending legislation relating to those policy areas. In addition, my duties included acting as primary liaison with corresponding legislative committees and Executive agencies as well as constituents.

## United States Army Reserve – Judge Advocate General’s Corps

Since 2001, I have served as a Reserve officer with the United States Army – Judge Advocate General’s Corps (JAGC). The general character of my work in the JAGC has been as Adjunct Professor of Criminal Law, Legal Assistance Attorney, Trial Counsel, Administrative Law Attorney, and Operations Law Attorney.

As an Adjunct Professor of Criminal Law, I provide classroom and mock trial instruction at The Judge Advocate General’s Legal Center & School in Charlottesville, Virginia. The subject areas include primarily Military Rules of Evidence and Trial Advocacy. The students include junior officers in the Army Judge Advocate General’s Corps as well as inexperienced Trial and Defense Counsel in Active, Reserve, and National Guard components of the Army, as well as Navy, Air Force, Marines, and Coast Guard. I also teach courses at the annual Criminal Law Advocacy Course/Intermediate Trial Advocacy Course each September and the Officers Basic Training Course each February/March.

As a Legal Assistance Attorney, I provide counsel to individual Active and Reserve soldiers and spouses, as well as to retired military members and spouses. The vast amount of legal assistance has been with estate planning (wills) for deploying soldiers, although it has included legal counsel regarding marriage separation and divorce, landlord-tenant matters, Service members Civil Relief Act (SCRA) and the Uniform Service members Employment Rights Act. As Operations Law Attorney, I have briefed large groups of soldiers deploying in support of Operation Enduring Freedom or Operation Iraqi Freedom on the Law of Armed Conflict, Standard Rules of Engagement, and the Code of Conduct.

As Trial Counsel, I have investigated and prosecuted violations of the Uniform Code of Military Justice, including financial fraud and prescription fraud offenses, and have prosecuted administrative separations actions. In 2002 and again in 2003, I was tasked in my Army Reserve capacity to serve as Trial Counsel in the Office of the Staff Judge Advocate, Fort Bliss, Texas, to prosecute two separate General Courts Martial, one soldier for drug trafficking and another for sexual assault.

In November 2008, I was mobilized to active duty as part of Operation Enduring Freedom and stationed at Fort Bragg, North Carolina, to augment the 18th Airborne Corps, Office of the Staff Judge Advocate and assigned to the Administrative Law Section. My duties included legal reviews, including official responses to requests made under the Freedom of Information Act, Army Regulation 15-6 investigations, and property accountability investigations. In addition, I advised officers who were tasked with conducting investigations under Army Regulation 15-6 and

UCMJ art. 32. In December 2008 I was reassigned to the Military Justice Section to serve as Senior Trial Counsel because of a shortage of manpower due to deployments and my experience as a prosecutor. As Senior Trial Counsel, I was assigned to handle criminal cases originating from the Womack Army Medical Hospital and the Warrior Transition Battalion, including, for example, financial and prescription fraud offenses.

#### United States Attorney's Office

I served as an Assistant United States Attorney for the District of New Mexico from 1999 to 2010, where my primary responsibility was criminal prosecution. In March 1999, I joined the Las Cruces branch office where I prosecuted large-scale drug trafficking cases with the Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI) and United States Border Patrol (USBP), criminal immigration cases with the USBP and Immigration and Customs Enforcement (ICE), and firearms cases with the Bureau of Alcohol, Tobacco & Firearms (ATF). During that time I also prosecuted a small number of violent crime cases originating in the Mescalero Apache Reservation. I also investigated and prosecuted large-scale, long-term and complex drug trafficking cases as part of the Department of Justice Organized Crime Drug Enforcement Task Force (OCDETF).

In August 2006, I transferred to the main office in Albuquerque and into the Violent Crime (VC) Section. The nature of my work in VC was the investigation and prosecution of violent crime occurring on Indian Reservations, working closely with the FBI, Bureau of Indian Affairs (BIA) and Navajo Criminal Investigations Division. I also handled several bank robbery and firearms-related cases with the FBI and ATF respectively that originated in the Albuquerque area.

In April 2008, I transferred into the Narcotics section as a designated OCDETF attorney. The nature of my work was primarily large-scale, long-term and complex narcotics trafficking investigations and prosecutions that resulted in the seizure of significant quantities of marijuana, methamphetamine, heroin, and cocaine.

Since 2010, when I became the United States Attorney for the District of New Mexico, the general character of my work has been multi-dimensional, including the supervision of all administrative, personnel and operational activity in the United States Attorney's Office; all federal criminal investigations, prosecutions and appeals taking place in the jurisdiction; all civil defensive and affirmative litigation in which the United States is a party; all communication and coordination with the



Department of Justice; as well as all law enforcement coordination and community and media outreach.

My duties as United States Attorney also include working directly with 93 other United States Attorneys, the Executive Office for United States Attorneys and the Department of Justice to address major justice policy issues and develop policy strategies and implementation. The Attorney General relies heavily on the United States Attorneys, including the Attorney General's Advisory Committee and its various subcommittees to keep him apprised of public safety and policy issues to assist in the development of Departmental policy as it impacts each of the 94 Districts nationwide.

In general, my duties in the United States Attorney's Office have included significant litigation of Fourth, Fifth, and Sixth Amendment rights, in-court appearances for hearings and trials, as well as occasional appellate brief writing and appellate argument.

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

As a Legislative Assistant, I worked for the Senator and Senator's New Mexican constituents. I specialized in the policy areas of criminal and juvenile justice, Indian affairs, rural development, as well as transportation and housing.

As a Judge Advocate, Legal Assistance Attorney in the United States Army Reserve, my clients included Retired, Active, and Reserve Component military personnel, as well as Department of Defense civilians. I specialized in the area of estate planning, as well as soldier civil and employment rights. As Trial Counsel, my clients included unit commanders exercising criminal jurisdiction over soldiers within their command. I specialized in the area of criminal prosecution.

As the United States Attorney and as an Assistant U.S. Attorney, my only client has been the United States government. Currently, I have responsibility over all federal criminal investigations and prosecutions as well as responsibility to represent the United States in all civil cases within the District of New Mexico.

- 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.

- i. Indicate the percentage of your practice in:
  - 1. federal courts: 97%
  - 2. state courts of record: 0%
  - 3. other courts: 2%
  - 4. administrative agencies: 1%
- ii. Indicate the percentage of your practice in:
  - 1. civil proceedings: 0-3%
  - 2. criminal proceedings: 97%
- 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.

I have tried approximately 15 cases to verdict. In approximately 10 of these cases I was chief counsel and in five I was associate counsel.

- i. What percentage of these trials were:
  - 1. jury: 90%
  - 2. non-jury: 10% (military separation board)
- 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 appeared 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. Torres-Larranega, et al.*, Case No. 03-CR-2122 MV (D-NM Feb. 2005); *aff'd*, *United States v. Torres-Larranega*, 476 F.3d 1148 (10th Cir. 2007); *United States v. Francisco-Diaz*, 213 Fed. Appx. 647 (10th Cir. 2007); *United States v. Mendivil*, 208 Fed. Appx. 647 (10th Cir. 2006).

This matter stemmed from the investigation of a criminal organization that transported multi-ton quantities of marijuana from Mexico, through New Mexico and to the Chicago area. The organization, set up as a sham trucking company, used a sophisticated system of tractor-trailers, residences, warehouses, drivers, and laborers to load and off-load marijuana, as well as mid-tier managers who recruited drivers, forged documents, and managed proceeds in furtherance of the criminal activity. The investigation was led by the FBI and included multiple federal, state, and local law enforcement agencies from New Mexico, Texas, Oklahoma, Missouri, Illinois and Indiana. The FBI successfully penetrated the organization using a well-placed confidential informant, court-authorized wiretaps, and extensive surveillance, making four seizures of marijuana in New Mexico, Texas, and Indiana totaling approximately six tons. Approximately 12 organizational members were arrested and charged with conspiracy, including the leader who was charged with Continuing Criminal Enterprise. The case included significant litigation, including unsuccessful defense challenges to the legality of the wiretap and the search and seizure of evidence and defendants' statements, as well as attempts to sever. Even though many of the defendants pled guilty, four organizational leaders opted instead for trial and were found guilty. The case was tried in January to February 2005, for which I served as lead counsel. The convictions were affirmed on appeal.

Presiding Judge: Honorable Martha Vazquez, United States District Court for the District of New Mexico

Co-Counsel:

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(presently on detail to the Department of Justice, National Security Division)  
(202) 305-1214

AUSA Richard Williams  
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Defense Counsel:

Marcia J. Milner (trial phase for defendant Torres-Larranega)  
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(575) 523-2696

Scott M. Davidson (appeal phase for Torres-Larranega)  
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Anthony W. White (for defendant Diaz)  
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Ken del Valle (for defendant Mendivil)  
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(915) 544-0202

Howard L. Anderson, Jr. (for defendant Mendoza)  
P.O. Box 1408  
Fairacres, New Mexico 88033  
(505) 980-4090

2. *United States v. Lauder, et al.*, Case No. 02-CR-2262 BB (D-NM Aug. 2003), *aff'd*, 409 F.3d 1254 (10th Cir. 2005).

This matter was one of several that resulted from an intense investigation by the DEA and the Lea County Drug Task Force. The investigation was warranted by an influx in the community of drug traffickers from out of state that brought increased cocaine and crack cocaine to Southeastern New Mexico, including the communities of Lovington and Hobbs. The investigation revealed that Lauder and his associates transported significant amounts of powder cocaine from San Bernardino, California to Hobbs, New Mexico where he cooked it into rock form and distributed it with the assistance of several area females. Lauder was charged for his supervisor role in the conspiracy, as well as others who distributed the cocaine on a street-level. Lauder was convicted after a lengthy trial. I served as lead counsel and first chair at trial. The conviction and sentence were affirmed on appeal.

Presiding Judge: Honorable Bruce Black, United States District Court for the District of New Mexico

Co-Counsel:

Kelly H. Burnham  
555 South Telshor Boulevard  
Las Cruces, New Mexico 88011  
(575) 522-2304

Defense Counsel:

Ken del Valle (for defendant)  
8407 Alameda Avenue  
El Paso, Texas 79907  
(915) 544-0202

3. *United States v. Snid*, United States Army Military Court, Fort Bliss, Texas (Dec. 2003)

This General Court Martial was brought against a senior enlisted soldier who used his position of authority to sexually assault three female junior enlisted soldiers. The offenses occurred while SFC Snid was the Retention and Recruitment Non-Commissioned Officer in the 647th Area Support Group in El Paso, Texas. SFC Snid was charged with three specifications of violating the Uniform Code of Military Justice, one specification for each victim. The challenges to the prosecution included one female victim had already been discharged from the Army and another had been deployed to the Middle East on the eve of the 2003 Invasion of Iraq. The pre-trial investigation included revelations of similar previous conduct by SFC Snid while working as a civilian in the San Antonio, Texas Independent School District. The case involved significant pre-trial litigation relating to the admission of evidence, including that from the San Antonio Schools. In December 2003 and after a lengthy trial, SFC Snid was found guilty and sentenced in United States Army Military Court. I was detailed in my Army Reserve capacity to serve as lead Trial Counsel. The defendant did not appeal his conviction or sentence.

Presiding Judge: COL/Judge Mark Sposato

Co-Counsel:

MAJ Ward Narramore  
United States Army, Judge Advocate General's Corps  
Office of Staff Judge Advocate  
Fort Campbell, Kentucky

CPT Damon Martinez  
United States Army Reserve  
1st Legal Support Organization  
(505) 346-7274

Defense Counsel:

MAJ Matthew J. McDonald  
LWJC  
Fort Hood, Texas 76544  
(254) 287-3358



Theresa Caballero  
300 East Main Street, Suite 1136  
El Paso, Texas  
(915) 564-4494

4. *United States v. Moran*, Case No. 05-CR-1547 WJ (D-NM Feb. 2006), *aff'd*, 503 F.3d 1135 (10th Cir. 2007), *cert. denied*, 128 S. Ct. 2424 (2008).

The matter was brought after the defendant was found with a rifle in his possession, a felony offense for a previously-convicted felon. Indeed, the defendant had two previous felonies in his record, including a prior conviction for being a felon in unlawful possession of a firearm. The defendant was arrested by State Game officers and County Sheriff's Deputies after he was reported to have repeatedly trespassed on private ranch land in Mayhill, New Mexico during a state-authorized deer bow hunt. Although the defendant had a bow in his possession, the State Game officers suspected he had been poaching deer utilizing the rifle, a common scheme among game poachers in the area. The defendant was charged federally with possession of a firearm by a convicted felon. The defense vigorously but unsuccessfully challenged the defendant's arrest by local law enforcement and the seizure of evidence from his vehicle and included significant litigation relating to the admission of the defendant's previous felony conviction as evidence at trial. The case resulted in a lengthy trial in which I served as lead counsel. The conviction was affirmed on appeal.

Presiding Judge: Honorable William Johnson, United States District Court for the District of New Mexico

Defense Counsel:

Dennis J. Candelaria  
Assistant Federal Public Defender  
506 South Main Street #600  
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(575) 527-6930

5. *United States v. Varela*, Case No. 06-CR-1022 RB (Aug. 2007), *aff'd*, 586 F.3d 1249 (10th Cir. 2009).

The matter was brought after a lengthy and intense investigation by the Luna County Drug Task Force, the Bureau of Alcohol, Tobacco & Firearms, the DEA, and the Hidalgo County Sheriff's Office. The defendant, a twice-convicted narcotics trafficker, was long-suspected of transporting multi-kilogram quantities of crystal methamphetamine from Phoenix, Arizona to the otherwise quiet community of Lordsburg, New Mexico where he was a principal drug distributor. After employing a confidential informant who made several purchases of methamphetamine from the defendant at the defendant's residence, the Task Force obtained a warrant for the defendant's arrest. The defendant was arrested

after leading two Lordsburg police officers on a high-speed vehicle chase through town to his residence and after scuffling with both officers in his driveway. A search warrant of the defendant vehicle led to the discovery of a significant amount of methamphetamine as well as multiple loaded firearms. The search of his residence resulted in the seizure of a horde of multiple other firearms, thousands of rounds of ammunition, as well as several hand grenades, some of which were set up in the residence as a booby-trap. Officers also discovered police scanners, surveillance cameras and monitors and digital scales used for street-level drug sales. The defense vigorously but unsuccessfully challenged the defendant's arrest and the seizure of evidence, and attempted to compel the disclosure of the confidential informant's identity. The case resulted in two trials. The first resulted in a mistrial in February 2007 and the second trial in August 2007 resulted in a guilty verdict on the firearms charges. I served as lead counsel for both trials. The conviction and sentence were affirmed on appeal.

Presiding Judge: Honorable Robert C. Brack, United States District Court for the District of New Mexico

Co-Counsel:

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Defense Counsel:

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6. *United States v. Van Hook*, Case No. 03-CR-420 MV (Jul. 2003), *aff'd*, 130 Fed. Appx. 277 (10th Cir. 2005).

This is one of several matters charged federally that stemmed from an intense investigation by the Lea County Drug Task Force in Hobbs, New Mexico. The defendant in this case was a prior convicted drug trafficker and significant crack cocaine distributor in Hobbs, New Mexico who had moved in from southern California. He was charged with federal firearms offenses as well as conspiring with his associates to distribute crack cocaine in the area of an elementary school. The case included a lengthy trial that resulted in a guilty verdict. I served as lead counsel. The conviction was affirmed on appeal.

Presiding Judge: Honorable William F. Downes, United States District Court for the District of New Mexico

Co-Counsel:

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Defense Counsel:

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622 South Iron Street  
Deming, New Mexico 88031  
(575) 546-4131

7. *United States v. Cantu*, Case No. 02-CR-1841 (May 2003)

This matter resulted from a tip from a reliable informant that the defendant, an oil field worker, had been distributing large amounts of methamphetamine from his residence in Hobbs, New Mexico. The tip led to a search warrant for the defendant's home by the Lea County Drug Task Force and the DEA, which led to the discovery of a large amount of high-grade methamphetamine and a digital scale used for drug distribution. The defendant was charged with federal drug and firearms offenses. The defense vigorously but unsuccessfully challenged the search of the defendant's residence and seizure of evidence. The case resulted in a guilty plea during trial to the charges. I served as lead counsel. The defendant did not appeal his conviction or sentence.

Presiding Judge: Honorable William Johnson, United States District Court for the District of New Mexico

Defense Counsel:

Jess R. Lilley  
1014 South Main Street  
Las Cruces, New Mexico 88005  
(575) 524-7809

8. *United States v. Fields*, Case No. 02-CR-2262 JP (2003)

This matter is one of several charged federally and resulting from an intense investigation by the Lea County Drug Task Force and the DEA relating to significant cocaine and crack cocaine distribution. The defendant, who had previously been convicted for drug distribution, was one of several who had moved into Hobbs from out of state to distribute large amounts of cocaine. The defendant was charged for his part in the drug distribution conspiracy, as well as his possession of a firearm in furtherance of the drug trafficking

activities. This case resulted in guilty plea to the charges and a significant sentence. I served as lead prosecutor. The defendant did not appeal his conviction or sentence.

Presiding Judge: Honorable John Conway, United States District Court for the District of New Mexico

Defense Counsel:

Mario A. Esparza  
138 North Campo  
Las Cruces, New Mexico 88001  
(575) 525-8208

9. *United States v. Mantilla et al.*, Case No. 08-CR-2085 BB (2008)

This matter resulted after a long-term and intense investigation by the DEA in New Mexico, Oklahoma, and Indiana into the drug-trafficking activities of an organization centered in Albuquerque. The organization imported multi-hundred pound quantities of marijuana from Mexico to Albuquerque where it was off-loaded, stored, and re-packaged for shipment to the Midwest. The marijuana was then loaded into personal vehicles and driven to client distributors, including those in Oklahoma and Indiana. The DEA utilized a series of court-authorized telephone wiretaps to penetrate the organization and seize a thousand pounds of marijuana in one instance and over \$100,000 in bulk cash in another. The DEA also analyzed previous seizures of marijuana in the El Paso and New Mexico trafficking corridors to link additional amounts of marijuana to the same organization. All defendants pleaded guilty. I served as lead prosecutor. No defendant appealed their convictions or sentences.

Presiding Judge: Honorable Bruce Black, United States District Court for the District of New Mexico

Defense Counsel:

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Kirtan K. Khalsa (for defendant J. Talavera)  
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P. Jeffrey Jones (for defendant Hayward)  
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Kenneth A. Gleria (for defendant Grajeda)  
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(505) 243-7843

10. *United States v. Tsosie*, Case No. O6-CR-1444BB (March 2007), *aff'd*, 288 Fed. Appx. 496 (10th Cir. 2008).

The matter was brought after the victim, a former United States Marine, was beaten by a group of young but violent individuals. The victim had arrived home on the Navajo Indian Reservation after working a swing-shift at a corrections facility when he heard a window being shattered. The victim walked to his driveway to investigate and found that someone had thrown a large rock through the window of his vehicle. As he walked up the residential street, he was attacked by the responsible group, which beat him with a baseball bat, fists, and rocks, inflicting serious head and bodily injuries. The victim's spouse watched from her house before calling the police. The members of the group who could be identified were charged either as adults or juveniles with assault with a dangerous weapon and assault resulting in serious bodily injury; all except for the



defendant pled guilty. After a lengthy trial during which several of the defendant's co-assailants testified, the defendant was found guilty on all counts. My role was co-counsel and second chair at trial. The conviction was affirmed on appeal.

Presiding Judge: Honorable William Johnson, United States District Court for the District of New Mexico

Lead counsel:

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Albuquerque, New Mexico 87102  
(505) 346-7274

Defense Counsel:

Kimberly Middlebrooks  
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Albuquerque, New Mexico 87193  
(505) 792-3245

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.)

Shortly after I was sworn in as United States Attorney in May 2010, the USAO embarked on several important priority initiatives. For example, I have prioritized the work we do in Indian Country, including that relating to drug trafficking, domestic violence, and community outreach. The rates of violent crime, sexual assaults, and child sexual abuse in Indian Country are far above the national average. I have eliminated all intake thresholds for drug trafficking and distribution cases so, in effect, we have a zero tolerance policy. In addition, we are collaborating with the Laguna Pueblo as part of an anti-domestic violence strategy whereby I have designated a Tribal Prosecutor as a Special Assistant United States Attorney who will investigate and prosecute domestic violence offenses occurring in all 22 Pueblos and Tribes in the District of New Mexico. In addition, I recently hired a Navajo attorney and a victim-witness specialist as two essential parts of a "Community Prosecution Team" (CPT) that will be deployed to the Navajo Reservation. The CPT will be responsible for working with Navajo Nation Department of Justice attorneys and prosecutors, law enforcement, social service providers, medical providers and the community in and around the Gallup and Crownpoint area in order to develop better criminal investigations and prosecutions as well as crime prevention strategies. The Indian Country Crime Section in my office is a

first-of-a-kind in the country and includes a team of AUSAs that are responsible for investigating and prosecuting felony offenses occurring in Indian Country. Each AUSA in this section is responsible for outreach to at least one Pueblo or Tribe to engage with community leadership, law enforcement, and the public as an improved method to better understand the issues and to develop an effective law enforcement response.

In response to a request from community leaders concerned with significantly high drug and gun violence in Chavez County and the City of Roswell, I have developed and begun to implement a strategy to combat drug, gun, and gang violence. The initiative includes the organization of a community-wide Task Force made up of federal, state, and local law enforcement, city and county government representatives, school administrators and neighborhood association representatives. The initiative includes a multi-jurisdictional, multi-agency law enforcement operation that resulted in the arrest of 84 individuals who were charged and prosecuted by federal and state prosecutors. In addition, I have collaborated with the District Attorney in the 5th Judicial District to address firearms and drug offenses, designating an Assistant District Attorney as a Special Assistant United States Attorney who works one-half time as a federal prosecutor and one-half time as a state prosecutor, focusing on offenses in Roswell as well as Eddy, Lea, and Chavez Counties.

As part of a state-wide anti-violence initiative, I have collaborated with District Attorneys, Sheriffs and local police chiefs to identify the “worst of the worst” offenders in their respective communities. The initiative is aimed at addressing the repeat serious offenders who cycle through local criminal justice systems and yet continue to perpetrate violence and drug-related offenses. Federal sentences are such that these offenders, if convicted of federal firearms or drug offenses, can be removed from the community for a more meaningful period of time. The USAO has brought several such cases in the past two years with very positive results.

In response to a significant and startling upward trend in heroin and prescription drug abuse rates in Bernalillo, Rio Arriba, and Santa Fe Counties, my office, the FBI and DEA as well as local law enforcement have initiated an enforcement effort targeting distributors, including pharmacies, nurses, and physicians. In addition, I have initiated a public-awareness campaign by collaborating with the Heroin Action Committee, an organization of parents whose children have become addicted to heroin or prescription drugs or overdosed. The object is to educate students, parents, teachers, coaches, and the community at large on the dangers surrounding prescription drug abuse.

As part of an increased effort to prepare communities for a pandemic, the Department of Homeland Security and the Centers for Disease Control & Prevention organized a US/Mexico border health conference with collaboration between the states of Texas and New Mexico, as well as the cities of El Paso, Texas and Juarez, Mexico. The objective was to discuss and begin intensive collaboration toward a plan addressing the effects a pandemic would have on the border region, including the communities of El Paso, Juarez and Las Cruces, New Mexico.

As part of my work at the Office of the Staff Judge Advocate (OSJA), United States Army Reserve Command (USARC), Fort McPherson, Georgia, I was tasked with identifying the various General (GCMCA) and Special Court-Martial Convening (SPCMCA) Authorities that were expected to exercise jurisdictional authority in the new Army Reserve force structure. The GCMCA and SPCMCA authorize criminal charges against service members. The project included extensive research to identify the forthcoming changes relating to the United States Army Reserve (USAR) transformation and developing a jurisdictional scheme to meet the justice needs of the USAR. This project was conducted while I was on training duty at OSJA, USARC in September 2006.

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.

In November 2010, I was assigned to The Judge Advocate General's Legal Center and School, where I serve as an adjunct professor of Criminal Law in my capacity as an Army Reserve Judge Advocate. Since then, I have taught basic Trial Advocacy in the Judge Advocate Officer Basic Course as well as Criminal Law Advocacy/Intermediate Trial Advocacy to Judge Advocates. I teach Judge Advocates in small workshop sessions in which we cover Military Rules of Evidence, Court Martial procedures, and trial techniques, including case analysis, voir dire, opening statements, direct and cross-examination, impeachment, witness interviews, experts, and closing arguments. September 2012 course description supplied.

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.

I have been a commissioned officer in the United States Army Reserve, Judge Advocate General Corps for almost 12 years, serving in a variety of capacities in Reserve and Active status including some that do not involve the practice of law. Contingent on such service being permissible under the Code of Conduct for United States Judges, and if it does not unduly impact my judicial duties, I hope to continue my service if I am confirmed. I have no commitment or agreement to do so, and no other plans for outside activities.

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).

See attached Financial Disclosure 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.

If any matter were to arise that involved an actual or potential conflict of interest, I would handle it by careful and diligent application of the Code of Conduct for United States Judges as well as other relevant canons and statutory provisions.

- 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 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.

Because most of my career has been in public service as a prosecutor, I have not provided any *pro bono* legal services. However, I have tried to serve the disadvantaged and my community in other ways.

From 1994 to 1996 and 2004 to 2009, I served on the Board of Directors for the New Mexico Hispanic Bar Association. The NMHBA raises funds for a Law Student Bar Exam scholarship fund, to which I contribute and for which I have assisted organizing an annual reception where scholarships are awarded to select law students. In addition, I



assisted the NMHBA organize a block of Continuing Legal Education seminars as part of the National Hispanic Bar Association 2009 Annual Conference in Albuquerque.

I have served as an assistant coach for several youth sports teams, including Las Cruces Youth Soccer from 2004 to 2005, Las Cruces Coach-pitch baseball League in 2006, and Albuquerque Altamonte Little League from 2007 to 2008.

I participated in the Cub Scouts, Yucca Council (Las Cruces, New Mexico/El Paso, Texas) from 2004 to 2006. I assisted the Den leader in organizing weekly scout meetings, including teaching scouts bicycle repair and road safety, cooking skills, wildlife conservation, recycling, as well as weekend outings (bowling, hiking, etc.).

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 June 12, 2012, New Mexico's United States Senators announced that Chief Judge Bruce D. Black would retire from the federal bench and that interested candidates could apply for the judgeship through an application on their websites. After consulting with the Department's General Counsel on July 5, 2012, I submitted an application. On July 30, 2012, I interviewed with both Senator Bingaman and Senator Tom Udall in Washington, DC, along with staff members from each of their offices. On September 10, 2012, I was notified by Senator Bingaman's staff that I was among five names being sent to the White House for consideration.

Since September 17, 2012, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On October 19, 2012, I met with officials from the White House Counsel's Office and the Department of Justice in Washington, DC. On November 14, 2012, the President submitted my nomination to the Senate.

- 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.

AFFIDAVIT

I, Kenneth J. Gonzales, do swear  
that the information provided in this statement is, to the best  
of my knowledge, true and accurate.

17 November 2012  
(DATE)

Kenneth J. Gonzales  
(NAME)



[Signature]  
(NOTARY)

New Mexico  
Bernalillo