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United States Courts for the Ninth Circuit

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NEWS RELEASE

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Senate Confirms Seattle Attorney Eric D. Miller to Seat on Ninth Circuit Court of Appeals

SAN FRANCISCO – The United States Senate has confirmed President Trump’s nomination of attorney Eric D. Miller of Seattle, Washington, to serve as a judge of the U.S. Court of Appeals for the Ninth Circuit. Senators gave their consent on February 26, 2019, by a vote of 53-46, with one senator not voting.

Judge Miller, was nominated to the court on January 23, 2019. And his nomination was reported favorably to the Senate floor on February 7, 2019. He fills a judgeship vacant since March 3, 2018, when Judge Richard C. Tallman of Coeur d’Alene, Idaho, assumed senior status.

Prior to his appointment to the bench, Judge Miller had been a partner in the Seattle office of Perkins Coie LLP, where he served as the chair of the firm’s appellate practice since 2017. He had argued more than 60 appeals, including 16 in the Supreme Court of the United States.

Before joining Perkins Coie, Judge Miller served from 2007 to 2012 as an assistant to the solicitor general in the Office of the Solicitor General within the Department of Justice. He represented the government in the Supreme Court in numerous cases, including those involving communications, energy, employment, and administrative law. In 2008, he was awarded the Attorney General’s Distinguished Service Award for his conduct of national-security litigation.

Earlier in his career, Judge Miller served from 2006 to 2007 in the Federal Communications Commission as a deputy general counsel responsible for managing litigation in defense of FCC orders in federal appellate courts. He also served in the DOJ as a member of the appellate staff in the Civil Division, from 2004 to 2006 and 2001 to 2003, and as an attorney-advisor in the Office of Legal Counsel from 2003 to 2004.

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The Ninth Circuit Court of Appeals hears appeals of cases decided by executive branch agencies and federal trial courts in nine western states and two Pacific Island jurisdictions. The court normally meets monthly in Seattle, Washington; San Francisco, California; and Pasadena, California; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and twice a year in Anchorage, Alaska.

The U.S. Court of Appeals for the Ninth Circuit had 10,502 new case filings in calendar year 2018. The court is authorized 29 judgeships and currently has five vacancies.

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