



United States Courts for the Ninth Circuit

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NEWS RELEASE

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Senate Confirms Magistrate Judge Benjamin J. Cheeks to Serve as District Judge for Southern District of California

SAN FRANCISCO – The U.S. Senate today voted 49-47 to confirm President Joseph R. Biden Jr.’s nomination of U.S. Magistrate Judge Benjamin J. Cheeks, Southern District of California, to serve as a U.S. district judge for the U.S. District Court for the Southern District of California.

“We are absolutely delighted to learn that Magistrate Judge Ben Cheeks was confirmed by the U.S. Senate and will be joining our bench as a district judge. He was a skilled trial lawyer, and he brings a wealth of experience, having served for more than 21 years as a state and federal prosecutor, criminal defense attorney, and United States Magistrate Judge,” said Chief U.S. District Judge Dana M. Sabraw, Southern District of California. “He’s well known in the community for his courtly manners and gentlemanly way of going. We couldn’t be more pleased with Judge Cheeks’ appointment,” Chief Judge Sabraw concluded.

Judge Cheeks was nominated for the judgeship on Nov. 18, 2024, and had his nomination hearing before the Senate Judiciary Committee on November 20. His nomination was reported to the Senate floor on December 12. Upon taking his oath, Judge Cheeks will fill a judgeship vacant since Sept. 7, 2023, when District Judge Gonzalo P. Curiel assumed senior status. He will maintain chambers in San Diego.

Judge Cheeks was appointed a U.S. magistrate judge by the judges of the U.S. District Court for the Southern District of California on July 19, 2024. Before joining the bench, he was in private practice as a criminal defense attorney in San Diego from 2013 to 2024. He served as an assistant U.S. attorney for the Southern District of California, from 2010 to 2013, and as an assistant district attorney for New York County District Attorney’s Office from 2003 to 2010. Judge Cheeks was an adjunct professor at California Western School of Law from 2014 to 2022 and at Thomas Jefferson School of Law from 2012 to 2013.

Born in Albany, Georgia, Judge Cheeks received his Bachelor of Arts from the University of Miami in 2000 and his Juris Doctor from American University, Washington College of Law, in 2003.

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Judge Cheeks served as a lawyer representative for the Southern District of California from 2020 to 2024 and on its Selection Committee from 2023 to 2024. He was a member of the Criminal Justice Act Advisory Committee for the Southern District of California from 2022 to 2024 and a member of the Merit Selection Committee for the Selection of Magistrate Judges for the Southern District of California from 2021 to 2023.

Judge Cheeks was a member of the Criminal Defense Lawyers Club from 2021 to 2024; a member of the San Diego County Bar Association from 2013 to 2014 and 2020 to 2024; a member of the Federal Bar Association, San Diego, from 2020 to 2023, serving as board member from 2020 to 2023 and co-chair of its Diversity, Equity and Inclusion Committee in 2022; and a member of the Consumer Attorneys of San Diego from 2017 to 2021, serving as editor of its Criminal Law Column, “Trial Bar News.”

The U.S. District Court for the Southern District of California had 5,107 new case filings in fiscal year 2024. The court is authorized 13 judgeships.

Appointed under Article III of the U.S. Constitution, federal district court judges are nominated by the president, confirmed by the Senate and serve lifetime appointments upon good behavior.

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