



Judge Julie Elizabeth Carnes
Nominee to the United States Court of Appeals for the Eleventh Circuit

President Obama nominated Julie Elizabeth Carnes to the United States Court of Appeals for the Eleventh Circuit on December 19, 2013. If confirmed, she will serve in the seat vacated by Judge James Larry Edmondson, who assumed senior status on July 15, 2012. Judge Carnes is currently a judge on the United States District Court for the Northern District of Georgia. Upon her nomination, President Obama remarked that Judge Carnes has “displayed exceptional dedication to public service throughout [her] career,” and “I am confident that [she] will be [a] judicious and esteemed addition[.]” to the Eleventh Circuit.¹

Biography

Judge Carnes was born in Atlanta, Georgia in 1950. She received her A.B. *summa cum laude* from the University of Georgia in 1972, and her J.D. *magna cum laude* from the University of Georgia Law School in 1975. During law school, Judge Carnes served as an Editorial Board Member for the University of Georgia Law Review.

After law school, Judge Carnes clerked for Judge Lewis R. Morgan on the United States Court of Appeals for the Fifth Circuit. She then joined the United States Attorney’s Office for the Northern District of Georgia in 1978, serving as an Assistant United States Attorney until 1982 when she was promoted to Appellate Chief of the Criminal Division. From 1987 to 1990, in addition to Appellate Chief, Judge Carnes also acted as Deputy Chief of the Criminal Division, supervising division court trial attorneys and sentencing guidelines matters. In 1989, Judge Carnes completed a six-month detail assignment as Special Counsel to the United States Sentencing Commission. In 1990, she became a Commissioner of the U.S. Sentencing Commission, a role that she continued through the first several years of her federal judgeship. In 1992, President George H.W. Bush appointed Judge Carnes to the United States District Court for the Northern District of Georgia, where she has served as Chief Judge since 2009.

Legal Experience and Expertise

Judge Carnes has spent nearly her entire legal career in public service, and she has acquired extensive complex trial experience as both a judge and advocate. For example, as a trial court judge, Judge Carnes presided over a two-week criminal trial in which two defendants were convicted of assisting in the smuggling and harboring of more than 7,230 illegal aliens and transporting them into conditions resembling indentured servitude.² In a large-scale illicit drug

¹ White House Press Release, *President Obama Nominates Two to Serve on the United States Courts of Appeal* (Dec. 19, 2013), available at <http://www.whitehouse.gov/the-press-office/2013/12/19/president-obama-nominates-two-serve-united-states-courts-appeals>.

² *United States v. Feng*, Case No. 1:03-cr-276-JEC.

case involving a distribution ring that spanned from Canada through the Eastern part of the United States, Judge Carnes consolidated sentencing hearings for more than 30 defendants.³ As a federal prosecutor, Judge Carnes worked as co-counsel in on one of the largest mail fraud cases ever prosecuted in the Northern District of Georgia. The prosecution took two years to complete, and she served as the sole appellate counsel.⁴

Judge Carnes also has presided over civil rights and constitutional law cases. In 2007, she sentenced to imprisonment two police officers who pled guilty to civil rights violations after they shot and killed a 90-year old African American woman in her bed and then attempted to cover up the misconduct that led to her killing.⁵ In another case, Judge Carnes struck down a Georgia statute that provided a 72-hour deadline (or even longer if the deadline fell on a weekend or holiday) to hold initial detention hearings for juveniles charged with delinquency.⁶ She found that U.S. Supreme Court precedent requires a hearing to be held within 48 hours of arrest unless the government can demonstrate extraordinary circumstances.

Finally, Judge Carnes has argued many cases of first impression before the U.S. Court of Appeals for the Eleventh Circuit. In *United States v. Holmes*, for example, she argued and succeeded on the claim that a defendant who flees after conviction, but before sentencing, waives his right to appeal the conviction.⁷ And in *United States v. Anderson*, the Eleventh Circuit adopted her argument regarding a jury's role in determining the applicability of state law with respect to a RICO prosecution.⁸

Professional and Community Activities

From its inception in 1988 through 1998, Judge Carnes was active on the Attorney General's Subcommittee on Sentencing Guidelines. The subcommittee actively monitored the implementation of the sentencing guidelines and made recommendations to the Attorney General.

Judge Carnes has also worked with the Federal Defender Program in her role as Chief Judge to ensure that resources are provided for the defense of indigent criminal defendants. In addition, she has hosted at her court middle and high school students who aspire to become attorneys and served as judge for the "Do the Write Thing Challenge" essay competition sponsored by the National Campaign to Stop Violence.

³ *United States v. Mach*, Case No. 1:05-cr-543-JEC.

⁴ *United States v. Spiegel*, No. 83-8289 (11th Cir. 1984) (unpublished).

⁵ *United States v. Junnier, et al.*, Case No. 1:07-cr-129-JEC and *United States v. Tesler*, Case No. 1:08-cr-424-JEC.

⁶ Case No. 1: 96-cv-2316-JEC.

⁷ *United States v. Holmes*, 680 F.2d 1372 (11th Cir. 1982).

⁸ *United States v. Anderson*, 782 F.2d 908 (11th Cir. 1986).