



Andre Mathis

Nominee for the United States Court of Appeals for the Sixth Circuit

President Joe Biden [nominated](#) Andre Mathis to the United States Court of Appeals for the Sixth Circuit on November 18, 2021 for the seat vacated by Judge Bernice Bouie Donald, who is taking senior status. Mr. Mathis would be the first Black man to sit on the Sixth Circuit from Tennessee and would bring considerable legal experience in both criminal and civil matters to the Sixth Circuit.

Biography

Mr. Mathis was born in 1980 in Memphis, Tennessee and was raised in South Memphis. He received a full scholarship to the University of Memphis and graduated with a B.A. in 2003. Mr. Mathis then attended University of Memphis School of Law and graduated in 2007 with a J.D. cum laude. In law school, he participated in the Domestic Violence Clinic and served on the school's law review, where he wrote two notes; the first note examined wrongful convictions and actual innocence, and the second analyzed *Miranda v. Arizona* in light of a Tennessee Supreme Court case. At law school graduation, Mr. Mathis received the Dean's Pro Bono Service Award and the Dean's Distinguished Service Award.

Legal Experience

Mr. Mathis has a wide range of both civil and criminal federal legal experience, with a particular focus on civil litigation. After law school graduation, Mr. Mathis joined Glankler Brown, a Memphis, Tennessee firm, as an Associate and was promoted to a Member in 2016. Mr. Mathis joined another Tennessee firm, Butler Snow, as a Partner in 2020, where he is a member of the Commercial Litigation and Labor and Employment groups.

CIVIL EXPERIENCE

Mr. Mathis's primary work experience is in civil litigation. As a civil litigator, he has largely represented the government and businesses. He has handled cases arising under a wide range of federal statutes, from Title VII of the Civil Rights Act of 1964 to the Federal Tort Claims Act and maritime law.

Illustrative of Mr. Mathis's representation of businesses and employers, in 2018 he [defended](#) AT&T and Southwestern Bell Telephone Co. against a former employee who claimed civil rights violations, including violation of the Fourth Amendment and malicious prosecution. Mr. Mathis successfully moved to dismiss the plaintiff's complaint arguing that, as private actors, defendants could not have violated plaintiff's Fourth Amendment rights.

In representing government entities, Mr. Mathis has done significant work

for school districts. Mr. Mathis [represented](#) Durham School Services when the district was sued by a minor plaintiff who was seriously injured after his school bus came early, forcing him to ride his bike to school. Mr. Mathis obtained a jury verdict in favor of the school district that was [affirmed](#) by the Sixth Circuit. Mr. Mathis has also been hired by school districts to conduct fact-finding investigations. In one instance, Mr. Mathis was [hired](#) to investigate sexual harassment claims by Shelby County School District and found the claims unsubstantiated. In another instance, Mr. Mathis was hired by the Memphis City Schools district to [spearhead](#) an investigation into allegations of sexual harassment and ultimately found that a Deputy Superintendent had sexually harassed a school secretary.

On a less frequent basis, Mr. Mathis has also represented employees. In *Longs v. Ford Motor Co.*, Mr. Mathis represented Jeffrey Longs in two jury trials after Longs was fired just two weeks after filing a complaint of race discrimination. The parties ultimately settled the case after the district court set aside the second jury's verdict. In *Turner v. City of West Memphis*, Mr. Mathis represented Keya Turner, a bus driver who was sexually harassed by a supervisor while working in the Memphis Sanitation Department. Under Mr. Mathis's representation, Ms. Turner's sexual harassment claims survived a motion for summary judgment.

Mr. Mathis's civil practice has also included *pro bono* work. For example, he recently started providing services for the [Tennessee Innocence Project](#). In 2020, he began representing Darron Price, who was sentenced to 49 years in prison based solely on eyewitness identification; Mr. Mathis filed a petition for DNA analysis and is awaiting a decision. From 2007 to 2010, Mr. Mathis also handled order-of-protection cases for women seeking protection against current or former significant others.

CRIMINAL EXPERIENCE

Mr. Mathis has defended approximately 150 criminal cases. For over a decade, Mr. Mathis has served on the Criminal Justice Act Panel for the Western District of Tennessee, representing indigent criminal defendants in federal court. Mr. Mathis also represents indigent criminal defendants in state appellate proceedings.

In *U.S. v. Kinkle*, Mr. Mathis represented Mr. Kinkle, who had been charged in a drug conspiracy case after already accepting a plea for the conduct in a different jurisdiction. Mr. Mathis moved to dismiss the charges as a violation of the Double Jeopardy Clause and breach of the plea agreement in the alternative jurisdiction. The government ultimately agreed to dismiss the charges against Mr. Kinkle. In *U.S. v. Peterson*, Mr. Mathis represented Mr. Peterson, a man who had an intellectual disability and was charged with being a convicted felon with a firearm. Mr. Mathis argued that Mr. Peterson was not competent to stand trial or plead guilty due to his disability. The government ultimately agreed that Mr. Peterson was not competent and dismissed the charges.

Professional Activities and Accolades

Mr. Mathis has received numerous honors throughout his distinguished career. He was selected for the Magistrate Judge Merit Selection Panel for the United States District Court for Western District of Tennessee, served on the Disciplinary Hearing Committee of the Tennessee Board of Professional Responsibility, and was selected for the Shelby County Ethics Commission. He also served as President of the National Bar Association's Ben F. Jones Chapter in 2011 and as Vice President in 2010.

Mr. Mathis is deeply involved in his Memphis community. He has devoted a significant amount of time to organizations that support low-income youth, serving as a board member for the Boys and Girls Clubs of Memphis, which he attended as a child, and Streets Ministries. Mr. Mathis has also done extensive mentoring work with University of Memphis law students; he coaches the school's Thurgood Marshall Moot Court team and developed a mentoring and networking program at the law school in coordination with the National Bar Association.