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News Release
JUDICIARY COMMITTEE

United States Senate • Senator Orrin Hatch, Chairman

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**Statement of Chairman Orrin G. Hatch
Before the United States Senate Committee on the Judiciary
Hearing on the nominations of**

**JAMES O. BROWNING TO BE U.S. DISTRICT JUDGE
FOR THE DISTRICT OF NEW MEXICO;**

**KATHLEEN CARDONE TO BE U.S. DISTRICT JUDGE
FOR THE WESTERN DISTRICT OF TEXAS;**

**JAMES I. COHN TO BE U.S. DISTRICT JUDGE
FOR THE SOUTHERN DISTRICT OF FLORIDA;**

**FRANK MONTALVO TO BE U.S. DISTRICT JUDGE
FOR THE WESTERN DISTRICT OF TEXAS; AND**

**XAVIER RODRIGUEZ TO BE U.S. DISTRICT JUDGE
FOR THE WESTERN DISTRICT OF TEXAS**

Today the Committee is considering five extremely well qualified nominees for the federal district court bench. Before we turn to the panel of Senators here to introduce the nominees, I would like to say a few words about each of them and offer my support.

Our first nominee, **James Browning**, has been nominated for the District of New Mexico. Mr. Browning has a great depth of legal experience and will make an excellent addition to the federal bench. He earned his law degree from the University of Virginia, where he served as Editor-in-Chief of the *Virginia Law Review* and was a member of the Order of the Coif. After graduation, Mr. Browning served as a law clerk for Third Circuit Chief Judge Collins J. Seitz and Supreme Court Justice Lewis Powell. He is currently a senior partner and shareholder with the Albuquerque firm of Browning & Peifer. Despite his busy schedule, Mr. Browning nevertheless finds time to volunteer for various pro bono causes, and he currently commits several hours a month to the New Mexico Christian Legal Aid group.

James Cohn has been nominated for the Southern District of Florida. For the past seven years, he has served admirably as a judge on the 17th Judicial Circuit of Florida.

Prior to his judicial tenure, he worked as both a prosecutor and a public defender. In addition to his legal background, he has been an active member of his community through his participation in the National Guard as well as his membership in the Exceptional Student Education Advisory Council, an organization devoted to special needs children. Judge Cohn's record reflects that of a skilled lawyer, an experienced judge, and an active citizen—characteristics that will make him a valued addition to the federal bench.

We have three nominees for the Western District of Texas here today. **Kathleen Cardone** has served in numerous judicial positions in El Paso County, Texas. She is also an experienced mediator and has lectured widely on the advantages of alternative dispute resolution. A part-time instructor at the El Paso Community College as well as a member of numerous organizations, including the Child Welfare Board and the PTA, Judge Cardone is not only a respected jurist but also an active, engaged member of her community. I am confident that her combined experience as a judge, mediator, practitioner, and engaged citizen has prepared her to be an exceptional federal judge.

Throughout his career, **Frank Montalvo** has demonstrated the intellect, experience and work-ethic required to make an excellent district court judge. As an attorney at the firms of Groce, Locke & Hebdon and later Ball & Weed, Judge Montalvo frequently litigated complex civil liability cases in state and federal courts. In 1994, he was elected to the Texas state district court. As a judge, he has served Texas well, presiding over many complicated cases, several of which have presented novel legal issues. Judge Montalvo speaks Spanish fluently and volunteers his time to help Spanish-speaking individuals navigate the Texas court system.

Xavier Rodriguez graduated from the University of Texas School of Law and joined the prestigious firm of Fulbright & Jaworski, where he currently is a partner. In 2001, Justice Rodriguez was appointed to the Texas Supreme Court, where he served until 2002 before returning to private practice. He has served as past president of the South San Antonio Chamber of Commerce, as vice chair of the State Board for Educator Certification, and as an advisory board member to the dean of St. Mary's University School of Law. He was commissioned as an officer in the U.S. Army Reserve in 1983 and served in the Judge Advocate General's Corps.

I am confident that Mr. Rodriguez, and the other four nominees appearing before us today, will make outstanding district court judges. I look forward to their testimony.

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