

ACADEMIC APPOINTMENT

PEPPERDINE UNIVERSITY CARUSO SCHOOL OF LAW, Malibu, CA

Associate Professor of Law, August 2022-

Research Interests: Criminal Law and Procedure, Statutory Interpretation, Constitutional Law

Courses: Criminal Procedure, Statutory Interpretation, Torts

Honors: Selected by 1L class as Professor of the Year in 2022-2023

Dean's Award for Excellence in Scholarship in 2022-2023

EDUCATION

UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Charlottesville, VA

J.D. 2015, Order of the Coif

Honors: Faculty Award for Academic Excellence (first in class at graduation)

Hyde Award (highest all-around award given at graduation)

Davis Award (selected by faculty member for excellence in constitutional law)

Raven Society (University's oldest honor society)

Activities: *Virginia Law Review*, Articles Development Editor; Supreme Court Litigation Clinic

Research Assistant, Professor A. E. Dick Howard

BELMONT UNIVERSITY, Nashville, TN

B.A. 2011, *magna cum laude*, Philosophy & Film Studies, Honors Program

ARTICLES

Ad Hoc Constructions of Penal Statutes (working paper)

Vagueness Avoidance, 110 VIRGINIA L. REV. (forthcoming 2024)

- featured on Larry Solum's Legal Theory Blog

Vagueness and Federal-State Relations, 90 U. CHICAGO L. REV. (forthcoming 2023)

- cited in Br. of Amici Curiae Constitutional and Federal Courts Scholars, *Isacson v. Mayes*, No. 23-1523 (9th Cir.)

Dealing with Dead Crimes, 111 GEORGETOWN L.J. 95 (2022)

- featured in Something Offbeat Podcast

Vagueness Attacks on Searches and Seizures, 107 VIRGINIA L. REV. 347 (2021)

Changing the Vocabulary of the Vagueness Doctrine, 101 VIRGINIA L. REV. 2051 (2015) (with Peter Low)

- featured on Larry Solum's Legal Theory Blog

- cited in *United States v. Bronstein*, 849 F.3d 1101 (D.C. Cir. 2017)

- cited in *United States v. McDaniels*, 147 F. Supp.3d 427 (E.D. Va. 2015)

- cited in Br. of Amici Curiae Constitutional and Federal Courts Scholars, *Isacson v. Mayes*, No. 23-1523 (9th Cir.)

SHORTER WORKS

[Cert Alert: Supreme Court Cases of Interest](#), 38.1 ABA CRIMINAL JUSTICE MAGAZINE 37 (Spring 2023)

Dubin v. United States, 143 S. Ct. 1557 (2023), amicus [brief](#) on behalf of Professor Joel S. Johnson in support of petitioner

[Cert Alert: Supreme Court Cases of Interest](#), 37.4 ABA CRIMINAL JUSTICE MAGAZINE 40 (Winter 2023)

Note, *Benefits of Error in Criminal Justice*, 102 VIRGINIA L. REV. 237 (2016)

- response by Daniel Epps, *One Last Word on the Blackstone Principle*, 102 Va. L. Rev. Online 34 (2016)

COMMENTARY & POPULAR MEDIA

Interviewed in Something Offbeat Podcast, *A law against cohabitation: Are you guilty of a 'dead crime'?* (May 22, 2023)

Featured in Avalon Zoppo & Brad Kutnery, *Supreme Court Brief: ID Theft Sentence Enhancement*, LAW.COM (Feb. 27, 2023)

Interviewed in Brendan Cullerton, *Supreme Court tackles identity theft statute some say is too broad*, GRAY TELEVISION (Feb. 27, 2023)

Featured in *Psychologist, Professor Urge High Court to Construe Identity Theft Law Narrowly*,
29-8 MEALEY'S LITIG. REP. INS. FRAUD 24 (Jan. 2023)

Interviewed on The Legal Docket Podcast, *Season 3, Episode 9: Bitter Pill* (Oct. 4, 2022).

Quoted in Jack Rodgers, *Meet Biden's Most Recent Picks for the DC Courts*, LAW360 PULSE (July 22, 2022)

Featured in Brooke Kaufman, *Dangerous 'Dead Crimes' That Are Still on the Books*, CRIMINAL LEGAL NEWS (Apr. 18, 2022)

Featured in Eva Herscovitz, *Dead Crimes Are Alive—and Dangerous*, THE CRIME REPORT (April 8, 2022)

Cited in James B. Cutchin, *Do psychics need a license to tell the future in the desert?*, THE DESERT SUN (Jan. 9, 2022)

PRESENTATIONS

Presenter, *Ad Hoc Constructions of Penal Statutes*, CrimFest, Brooklyn Law School (July 17, 2023)

Moderator of Panel of Federal Court of Appeals Judges, *En Banc: The Future of Consensus Building, Dissent, and Technology in the Federal Court of Appeals*, Pepperdine Law Review 50th Anniversary Symposium (Mar. 24, 2023)

Presenter, *Vagueness and Federal-State Relations*, Pepperdine Caruso School of Law (Oct. 3, 2022)

SERVICE ACTIVITIES

Professor Reviewer, *GEO. L.J. ANN. REV. CRIM. PROC.* (52d. ed. 2023)

Committee member, Pepperdine Caruso School of Law Curriculum Committee, 2022-2023

Member, Pepperdine Caruso School of Law Judicial Clerkship Task Force, 2022-2023

Judge, Final Round of Pepperdine Caruso School of Law Arabian Moot Court Competition, 2022-2023

Participant, Pepperdine University Dialogue Dinners (University-wide discussion group), 2022-2023

PROFESSIONAL EXPERIENCE

U.S. DEPARTMENT OF JUSTICE, CRIMINAL DIVISION, APPELLATE SECTION, Washington, D.C.
Attorney, 2021–2022

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP, Washington, D.C.
Founding Associate in Supreme Court and Appellate Practice, 2019–2020

WILLIAMS & CONNOLLY LLP, Washington, D.C.
Associate, 2017–2019; *Summer Associate*, 2014

THE HON. ROBERT D. SACK, U.S. Court of Appeals for the Second Circuit, New York, NY
Law Clerk, 2016–2017

THE HON. T.S. ELLIS, III, U.S. District Court for the Eastern District of Virginia, Alexandria, VA
Law Clerk, 2015–2016

ORAL ARGUMENTS

United States v. Romero-Lobato, 9th Cir. 20-10280 (May 18, 2022)
[Representing](#) government as appellee (beginning at 17:40)

United States v. Shelton, 6th Cir. No. 20-6348 (Dec. 9, 2021)
[Representing](#) government as appellee (beginning at 12:40)

United States v. Davis, 5th Cir. No. 20-30593 (Oct. 4, 2021)
[Representing](#) government as appellee (beginning at 11:22)

Harris v. Maryland, Md. Ct. Spec. App. No. 18-3433 (Jan. 13, 2020)
[Representing](#) defendant as appellant (beginning at 0:57)

BRIEFS

Concepcion v. United States, 142 S. Ct. 2389 (2022)
Merits [brief](#) for government

Van Buren v. United States, 141 S. Ct. 1648 (2021)
Amicus [brief](#) for over 40 media entities

Carr v. Saul, 141 S. Ct. 1352 (2021)
Merits [brief](#) for petitioner; cert [petition](#) and [reply](#)

Goldman Sachs v. Arkansas Teacher Retirement System, 141 S. Ct. 1951 (2021)
Cert [petition](#) and [reply](#)

Seila Law v. CFPB, 140 S. Ct. 2183 (2020)
Merits [brief](#) and [reply](#) for petitioner

Obduskey v. McCarthy & Holthus LLP, 139 S. Ct. 1029 (2019)
Merits [brief](#) for respondent and [brief](#) in opposition to cert

Musta v. Mendota Heights Dental Center, U.S. No. 21-676
Government's CVSG [brief](#) at certiorari stage

BRIEFS CONT'D

Acevedo v. United States, U.S. No. 21-7116

Government's [brief](#) in opposition to cert

Knights v. United States, U.S. No. 21-198

Government's [brief](#) in opposition to cert

Campbell v. United States, U.S. No. 20-1790

Government's [brief](#) in opposition to cert

Lechuga v. United States, U.S. No. 20-745

Government's [brief](#) in opposition to cert

Sanders v. United States, U.S. No. 20-8053

Government's [brief](#) in opposition to cert

Rodriguez v. United States, U.S. No. 20-7491

Government's [brief](#) in opposition to cert

Ivers v. United States, U.S. No. 20-7304

Government's [brief](#) in opposition to cert

Davis v. United States, U. S. No. 20-6448

Government's [brief](#) in opposition to cert

Figueroa-Serrano v. United States, U.S. No. 20-7528

Government's [brief](#) in opposition to cert

Mastin v. United States, U.S. No. 20-518

Cert [petition](#)

OTO, LLC v. Kho et al., U.S. No. 19-875

Cert [petition](#) and [reply](#)

Crown Asset Management LLC v. Barbato, U.S. No. 19-100

Cert [petition](#) and [reply](#)

Eli Lilly & Co. v. Erfindergemeinschaft UroPep GbR, U.S. No. 18-1515

Cert [petition](#) and [reply](#)

Suhl v. United States, U.S. No. 17-1687

Cert [petition](#) and [reply](#)

Henry v. Weiss, U.S. No. 17-1210

Cert [petition](#) and [reply](#)

United States v. Romero-Lobato, 9th Cir. 20-10280

Appellee [brief](#) for government

United States v. Newby, 4th Cir. No. 21-4018

Appellee [brief](#) for government

United States v. Shelton, 6th Cir. No. 20-6348

Appellee [brief](#) for government

BRIEFS CONT'D

United States v. Davis, 5th Cir. No. 20-30593

Appellee [brief](#) for government

United States v. Cardenas, 5th Cir. No. 20-10708

Appellee [brief](#) for government

In re Tribune Co., 2d Cir. No. 19-449

Merits [brief](#) for appellees

United States v. Gramins, 2d Cir. No. 18-2007

[Petition](#) for rehearing en banc for defendant-appellee

United States v. Greebel, 2d Cir. No. 18-2667

Reply [brief](#) for defendant-appellant

Harris v. Maryland, Md. No. 20-18, Md. Ct. Spec. App. No. 18-3433

Cert [petition](#) and [reply](#); merits [brief](#) and reply [brief](#) for defendant-appellant

BAR AND COURT ADMISSIONS

District of Columbia; Virginia (inactive)

Supreme Court of the United States; Second Circuit Court of Appeals; Fifth Circuit Court of Appeals;
Ninth Circuit Court of Appeals; Eastern District of Virginia