

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

9/8/20

Name: Amanda B. Dunn

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INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) **Review the separate instruction sheet prior to completing this document. Submit by the noon deadline date an original (unbound) completed application (with ink signature) to the Administrative Office of the Courts.** In addition, submit a digital copy with electronic or scanned signature via email to ceesha.lofton@tncourts.gov, or via another digital storage device such as a flash drive. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Attorney, Houston & Alexander, PLLC

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

2004, BPR Number 023523

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

2004, Tennessee, BPR Number 023523

2006, Georgia Bar Number 240636

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

No.

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

August 1, 2004 through July 30, 2018 – Luther-Anderson, PLLP. Employed as an attorney.

July 31, 2018 through present – Houston & Alexander, PLLC. Employed as an attorney.

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

My practice focuses primarily on State and Federal criminal defense work. Criminal practice comprises approximately 80% of my practice. I have on large civil enforcement case which comprises another 10% of my practice. The remaining 10% of my practice consists of juvenile, small divorce and personal injury cases.

7. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters.

My career has been spent as a litigator. I have actively practiced in every State and Federal Court in Hamilton County, with the exception of Bankruptcy Court, over the past eighteen years. The extent of my litigation practice includes trials in the United States District Court, Criminal Court, Circuit Court, and Juvenile Court. I have also handled appellate matters in the Sixth Circuit Court of Appeals, the Tennessee Court of Appeals, and the Tennessee Court of Criminal Appeals.

I began my career in civil litigation as an insurance defense attorney, and began trying cases, primarily involving automobile accidents, immediately. I quickly became interested in criminal defense cases and was accepted onto the CJA Panel for criminal appointments in the United States Court for the Eastern District of Tennessee and also began taking appointed work at the State level. I have tried multiple serious felony cases, including First Degree Murder. A list of trials representative of my practice is attached hereto as Appendix 1.

The bulk of my work in Federal Court involves pre-trial litigation, mitigation, and sentencing work. Very few federal criminal cases are tried in this jurisdiction, but representation of clients requires a significant understanding of the sentencing guidelines and a willingness to file motions necessary to obtain a just sentence. That being said, I have tried criminal matters in the District Court, as well, as outlined in Appendix 1.

I have also represented a number of clients in Juvenile Court matters. This scope of this representation ranges from a severe abuse/termination of parental rights case, which lasted over two years, to delinquency and child custody matters.

The vast majority of my practice requires me to represent clients without the assistance of co-counsel. In all but two of the cases listed in Appendix 1, I tried the case without a second chair. I never utilized an associate for assistance with my motions and briefs when I was in a larger firm, and do not have an associate in my present firm. Ultimately, my work product, whether in pretrial litigation or trial itself, represents my knowledge of the law and my desire to vigorously represent my clients.

8. Describe any matters of special note involving your practice in trial courts, appellate courts, and administrative bodies.

Appendix 1, attached, is a sample of the criminal trial and appellate work that I have performed. In addition, I tried a severe abuse case in Hamilton County Juvenile Court over the course of 8 days in 2019. Following a dispositional hearing, the matter was appealed to Hamilton County Circuit Court and retried in 2020 for an additional four days. The style of the case is sealed, pursuant to the Rules of Juvenile Procedure. This case involved numerous medical experts and witnesses, and, although not tried before a jury, required significant trial preparation.

9. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

None.

10. List and describe all prior occasions on which you have submitted an application for any state or federal judicial position.

I previously submitted an application for judgeship in June of 2015 when this same position (Second Division of Criminal Court) became available. I was selected by the council to interview with Governor Haslam. Just prior to that I had also interviewed for the position of U.S. Magistrate Judge in the Eastern District of Tennessee.

EDUCATION

11. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

1994 – 1999, University of Tennessee at Chattanooga. I was admitted to the Honor's Program and received the Brock Scholarship. I graduated from UTC with a B.S. in Political Science with an emphasis on International Relations, and a minor in Spanish.

2001-2004, Wake Forest University School of Law. I obtained a juris doctor. In 2002 I was accepted onto the Law Review, and became Senior Notes and Comments Editor of the Wake Forest Law Review in 2003.

PERSONAL INFORMATION

12. State your date of birth.

	1976.
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13. How long have you lived continuously in the State of Tennessee?

Eighteen years -- since June of 2004.

14. How long have you lived continuously in the county where you are now living?

Eighteen years.

15. State the county in which you are registered to vote.

Hamilton County.

16. Describe your military service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

Not applicable.

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

No.

18. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

No.

19. Please identify the number of formal complaints you have responded to that were filed

against you with any supervisory authority, including but not limited to a court, a board of professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

I have received one formal complaint to the Tennessee Board of Professional Responsibility. I responded to the allegation regarding my representation of that client, and have not heard anything further from the Board of Professional Responsibility. I have never received any type of censure or reprimand for a complaint filed with the BOP.

20. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No.

21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

No.

22. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

No.

23. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

I served as a member-at-large and on the Board of Directors for Legal Aid of East Tennessee from 2013 to 2021. I concluded my last two years of membership on the Board of Directors as the President of the Board. I remain on the Executive Committee for Legal Aid of East Tennessee in an advisory capacity through the end of this year.

I have been a member of Hixson United Methodist Church since 2019.

I have been a member of the Hamilton County Republican Women and the Pachyderm Club since 2021. I have also been a member of Scenic City Women's Network since 2021.

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.
- a. If so, list such organizations and describe the basis of the membership limitation.
 - b. If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

I am a member of the Hamilton County Republican Women and Scenic City Women's Network, both of which are groups formed to unite women. In the case of HCRW, the group supports the larger Hamilton County Republican Party and the Tennessee Republican Party. Scenic City Women's Network is a non-profit, prayer-based group that supports and encourages women to be a reflection of Christ in their daily lives. I do not believe that either group would affect my impartiality as a judge nor my knowledge of the law. Many judges are members of both of these groups, and I would also maintain my membership so long as allowed by the Judicial Canons.

ACHIEVEMENTS

25. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

I have been a member of the Chattanooga Bar Association and the Tennessee Bar Association since I began practicing in 2004.

I have been a member of the Tennessee Association of Criminal Defense Lawyers (TACDL) since 2019

26. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional accomplishments.

I was a recipient of the Outstanding Pro Bono Lawyer award given by Legal Aid of East

Tennessee in 2006.

I was a recipient of the "Unbought and Unbossed" Award given by Girls, Inc. in April of 2015.

27. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

I was a candidate for Hamilton County Criminal Court Judge, Third Division in the Republican primary, which was held May 3, 2022.

ESSAYS/PERSONAL STATEMENTS

28. What are your reasons for seeking this position? *(150 words or less)*

For almost eighteen years I have used my abilities as a lawyer to serve individual clients, some of whom were facing life imprisonment or other life-changing circumstances. I have represented clients with drug addictions or mental health issues. My goal has been to improve the lives of my clients, their families, and the community at large. I am seeking this judgeship because I want to use my legal skills for the highest purpose within my profession, and to serve the citizens of Hamilton County. My representation of clients with drug addiction also provides me with the tools to oversee the Recovery Court, which is a critical part of this position. I believe that I can equitably preside over trials, impose just sentences, and ensure that the courtroom continues to be a place where all individuals are entitled to respect and fairness.

29. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*

Hamilton County has a population of just over 364,000 people, and is the fourth largest county in Tennessee. There are three judges that oversee criminal court, and all cases bound over to the Grand Jury are divided amongst the three judges equally. Our county is currently seeing an increase in violent crime, particularly among gang members, as well as an increase in fentanyl use. This judicial position includes oversight of the Drug Recovery Court, with which I have a great deal of familiarity. I believe my substantial experience with clients suffering from addiction will be impactful in this role. I also believe my experience in Federal Court, which includes very serious cases including narcotics and firearms, gives me a breadth of experience that is unique and valuable to our State Court system, particularly as more individuals are charged with and sentenced for commission of violent crimes.

30. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports

your response to this question. (250 words or less)

I will absolutely uphold the law as it is written, regardless of my personal feelings about the substance of the law. My career in criminal defense work establishes the respect I have for the rule of law and the importance of its application in our system. Many times during my career I have provided a zealous defense for individuals who I personally felt were disrespectful of the law, guilty of the crime with which they were charged, or otherwise unsavory. I did not waiver in my advocacy of those individuals or treat them with any less respect because I am charged, by the *Sixth Amendment* to the *United States Constitution*, with providing them with effective representation.

My work in the Federal system has also prepared me for applying the law as it is written, regardless of personal beliefs. The Federal sentencing guidelines and mandatory minimum sentences have historically been much harsher than the sentencing laws in State court. I have observed many judges apply these sentencing laws in difficult circumstances, and have had to prepare my clients for the reality of how these laws apply to them. There have been many cases where it was in my client's best interest to plead guilty even though doing so would still result in a lengthy sentence of incarceration.

I believe these experiences have prepared me for respecting and applying the law as written regardless of personal feelings.

REFERENCES

31. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A. Ronald Wells, Partner, Robinson, Smith & Wells, PLLC, [REDACTED]
Chattanooga, TN 37450. [REDACTED]

B. Misty Harris, Partner, Harris Law Firm, PLLC, [REDACTED] Chattanooga, TN 37408.
[REDACTED]

C. Jonathan Turner, Partner, Speek & Turner, [REDACTED] Chattanooga, TN 37402. [REDACTED]
[REDACTED]

D. Amy Kennedy, Kennedy Jewelers, [REDACTED] Chattanooga, TN 37421. [REDACTED]
[REDACTED]

E. Julie Klotz, Johnson, Hickey, & Murchison Certified Public Accountants, [REDACTED]
[REDACTED] Chattanooga, TN 37421. [REDACTED]

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the [Court] Criminal Court, 11th Judicial District of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: July 11, 2022.

Amanda P. Damm
Signature

When completed, return this questionnaire to Ceesha Lofton, Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



**TENNESSEE TRIAL COURT VACANCY COMMISSION
ADMINISTRATIVE OFFICE OF THE COURTS**

511 UNION STREET, SUITE 600
NASHVILLE CITY CENTER
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY
TENNESSEE BOARD OF JUDICIAL CONDUCT
AND OTHER LICENSING BOARDS**

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

Amanda B. Dunn

Type or Print Name

Amanda B. Dunn

Signature

July 11, 2022

Date

023523

BPR #

Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.

Georgia 240636

APPENDIX 1

Representative State Criminal Trials

State v. Jason Sanford, Hamilton County Criminal Court Docket No. 299443, First Degree Murder; Trial February 12-15, 2019. Acquitted of all charges.

State v. Johnthony K. Walker, Hamilton County Criminal Court Docket No. 302476, 6 Counts Vehicular Homicide, 18 Counts Reckless Aggravated Assault, 7 Counts Assault, 1 Count Reckless Endangerment, and other misdemeanor counts. Trial February 28 – March 1, 2018.

State v. Santory Johnson, Hamilton County Criminal Court Docket No. 290718, First Degree Murder and Possession of a Firearm with Violent Felony Conviction. Trial October, 2015

State v. Garrett Tate, Bledsoe County Circuit Court Docket No. 2012CR9 – Aggravated Burglary, Trial July of 2014. Acquitted.

State v. Garrett Tate, Bledsoe County Circuit Court Docket No. 2012CR6 – Aggravated Burglary, Trial November 6, 2013. Acquitted.

State v. Jerricho Hawthorne, Hamilton County Criminal Court Docket No. 281988, First Degree Murder, Attempted First Degree Murder, Especially Aggravated Robbery, Attempt Aggravated Robbery. Trial August of 2013.

State v. Carl Moore, Hamilton County Criminal Court (docket number expunged), First Degree Murder; Trial September 13-15, 2011. Acquitted on all counts.

Representative State Appeals

State v. Nathan Lalone, Court of Criminal Appeals of Tennessee at Knoxville, Docket No. E2016-00439-CCA-R3-CD, First Degree Murder conviction reversed May 25, 2017.

State v. Johnthony K. Walker, Court of Criminal Appeals, Eastern Division, Docket No. E2018-00936-CCA-R3-CD

Representative Federal Trials

U.S. v. Darius Blakemore, U.S. District Court for the Eastern District of Tennessee, Docket No. 1:16-CR-23, Conspiracy to Distribute Heroin, Distribution of Heroin Resulting in Death, 3 Counts Possession of Cocaine with Intent to Distribute, Possession of a Firearm in Furtherance of a Drug Felony Offense, Felon in Possession of a Firearm. Trial, June 27-28, 2017.

U.S. v. Calvin Houston, U.S. District Court for the Eastern District of Tennessee, Docket No. 1:13-CR-37, Felon in Possession of a Firearm. Trial, October 4-7, 2016.

U.S. v. Randy Parks Sweeney, U.S. District Court for the Eastern District of Tennessee, Docket No. 1:12-CR-92, Sexual Exploitation, Coercion or Enticement of a Female, Felon in Possession of a Firearm. Trial, September 16-18, 2014.

Representative Federal Appeals

U.S. v. Lawande Haggard, Sixth Circuit Court of Appeals Case No. 21-5254, Filed April 6, 2021.

U.S. v. Timothy Sims, Sixth Circuit Court of Appeals Case No. 16-6481, Filed September 30, 2016.

U.S. v. Randy Parks Sweeney, Sixth Circuit Court of Appeals Case No. 15-5018, Filed January 8, 2015.