

2021 FPD SEMINAR AGENDA

Course No. TBD

July 07, 2021 & July 21, 2021

Zoom Webinar

Presented by:

The Office of the Federal Public Defender, Northern District of Texas

Overview

The Annual Federal Criminal Practice Seminar offers an assortment of cutting-edge material and instruction to benefit the less-experienced and experienced federal practitioner alike. This year's seminar will take place via Zoom webinar. We anticipate the State Bar of Texas will approve the seminar's curricula for a total of fifteen and a half (**15.5**) hours of continuing legal education credit, of which three (**3**) hours qualify for ethics credit.

The **first section** is **July 07, 2021**. The focus of the material has been tailored to benefit the less-experienced attorney or attorneys who would like a refresher of the federal system by dedicating day one almost exclusively to guideline calculations. A total of seven and a half hours (**7.5**) of continuing legal education credit are being presented at this session.

The **second section** is **July 21, 2021**. The emphasis of this material is to cover a broad range of topics; it is suited for experienced and new attorneys alike. A total of eight hours (**8**) of continuing legal education credit, of which three (**3**) hours of ethics credit will be offered.

There is no cost to attend the seminar this year, however, advanced registration is required. You may register for the first section, second section or both by going to the Federal Public Defender website at <http://txn.fd.org>.

If you have any questions please contact Charnese M. Toro, paralegal at (214) 693-6544 or charnese_toro@fd.org.

The agenda and faculty are on the pages below. We have an exciting agenda with wonderful speakers and we are looking forward to working with you this year!

Agenda

Day One – July 7, 2021

Day One will be dedicated almost entirely to the Sentencing Guidelines. The day will open with an overview of the Guidelines Manual and how to use it, taking the attendees from Chapter Two through Chapters Three and Four. Following the overview will be sessions where the attendees will be shown how to calculate the sentencing guidelines for specific fact patterns, covering USSG §§ 2B1.1, 2D1.1, and 2K2.1, as well as the Armed Career Criminal and Career Offender provisions. The day will close with a presentation regarding the current trends regarding Electronic Evidence.

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| 8:30-8:45 | Opening Remarks |
| 8:45-9:45 | Introduction to Guidelines
Speakers: Maria Chin, AFPD, and John Stickney, AFPD |
| 9:45-10:00 | Break |
| 10:00-11:00 | USSG § 2B1.1
Speaker: Loui Itoh, AFPD |
| 11:00-12:00 | USSG § 2D1.1 – a simple drug case
Speakers: Michael Kawi, AFPD, and Marti Morgan, AFPD |
| 12:00-12:15 | Break |
| 12:15-1:45 | USSG § 2D1.1 – a complex drug case
Speakers: Marti Morgan, AFPD, and Michael Kawi, AFPD |
| 1:45-2:00 | Break |
| 2:00-3:00 | USSG § 2K2.1
Speaker: Gabriela Vega, AFPD |
| 3:00-4:00 | ACCA and Career Offender
Speaker: Joel Page, AFPD |
| 4:00-4:15 | Break |
| 4:15-5:15 | Electronic Evidence
Speaker: Aisha Dennis, NACDL Staff Attorney |

Day Two – July 21, 2021

8:30-8:45 Opening Remarks

8:45-9:45 Case Law Update
Speaker: T.W. Brown, AFPD

This course will cover the opinions issued by the Supreme Court and the Fifth Circuit this year and how they affect our practice.

9:45-10:00 Break

10:00-11:00 Handling Child Pornography cases
Speakers: Doug Morris, AFPD, and David Sloan, AFPD

Child Pornography cases are some of the toughest, most complicated and highly nuanced cases that the federal practitioner can handle. There seems to be an increasing number of CJA attorneys receiving these cases, so this presentation will walk the attendees through the process of handling a child pornography case.

11:00-12:00 Ethics*
Speaker: Richard Anderson

12:00-12:15 Break

12:15-1:15 Lunch Presentation – Lawyer Well-Being During the Coronavirus Era *
Speaker: Chris Ritter, Director of TLAP

Lawyer well-being is always important but it has never been more critical than during the Coronavirus pandemic. Chris Ritter is passionate about lawyer well-being and he is equally passionate about providing tips for lawyers to improve their well-being.

1:15-2:15 When Justice Is Not Blind*
Speaker: The Honorable Audrey Moorehead

A discussion on the ethical considerations involved in ensuring an unbiased, fair and just system of justice.

2:15-2:30 Break

2:30-3:30 Han Gil Trial
Speaker: Cody Cofer

The Han Gil trial, handled ably by Cody Cofer and Kara Carreras, resulted in a hung jury. Mr. Cofer will provide details about his trial experience and his thoughts for handling similar cases.

3:30-4:00 Complex Cases/Discovery
Speaker: Kelly Scribner

Federal cases are rarely easy, but complex federal cases and complex discovery are....well....complex. Kelly Scribner will provide helpful and necessary information regarding the handling of complex discovery in a complex federal case.

4:00-4:30 Common Objections to Prosecutors' Closing Arguments
Speaker: Joel Page, AFPD

Tips from the appellate lawyer to the trial lawyer regarding common objections to prosecutors' closing arguments.

4:30-5:30 Representing Mentally Ill Clients
Speaker: Dr. Megan Thoen and Nicky Boatwright, criminal defense attorney

This presentation will provide information from the clinical perspective of a psychologist regarding mental illness(es) in our clients and helpful tips from the perspective of a criminal defense practitioner who routinely represents mentally ill clients.

*Denotes presentations that are expected to contain ethics

FACULTY BIOGRAPHIES

Richard Anderson

Richard Anderson has practiced criminal defense law since he was licensed in 1973. He is a past president of the Dallas Criminal Defense Lawyers Association; a past president of the Texas Criminal Defense lawyers Association; a past chairman of the Criminal Justice Section of the State Bar of Texas; and formerly the Federal Public Defender for the Northern District of Texas. In 2013 he was elected to the Texas Criminal Defense Lawyers hall of Fame.

T.W. Brown

T.W. is an Assistant Federal Public Defender and works in the Fort Worth division. He graduated from the University of Arkansas School of Law in May 2013 and joined the FPD's office in January 2015. He spent a few years in the trial division and has been in appeals since May 2019. If you have any questions about his presentation, you can reach T.W. at [Taylor W Brown@fd.org](mailto:Taylor_W_Brown@fd.org).

Cody Cofer

Cody Cofer is a partner at Cofer Luster Law Firm, PC. He has tried more than 60 cases to a jury. His trial experience includes both state and federal cases ranging from drug possession to murder. He has conducted multiple arguments before the Fifth Circuit, Texas Court of Criminal Appeals, and multiple Texas intermediate appellate courts. He is a former Assistant Federal Public Defender for the Northern District of Texas and former state prosecutor. He became Board Certified in Criminal Law by the Texas Board of Legal Specialization in 2013 and recertified in 2018. Cody has spoken on a variety of criminal law topics such as jury selection and complex evidentiary issues. His cases have been featured on local, national, and international news and entertainment outlets, including programming such as 48 Hours, 20/20, and Snapped.

Maria E. Torres Chin

Maria graduated from University of Akron School of Law, *Magna Cum Laude* in 2002. After graduation she worked as an Assistant County Prosecutor in Summit County, Ohio. After a full year of disappointments, she realized that her calling was defending indigent individuals. In late 2003, she opened her own firm focusing on criminal defense. In 2014, like the King, LaBron James, she decided to take her talents down South – to Del Rio, Texas where she served as an AFPD until 2017, when she moved to the District of Arizona in Phoenix. After 2.5 years of haboobs, fake grass, and mediocre Mexican cuisine, she decided to return to Texas. She joined the FPD's Office in Dallas in October, 2019. She is addicted to Topo Chico and considers teaching her cat Chucho to fetch her greatest accomplishment during the COVID-19 pandemic.

Loui Itoh

Loui Itoh jointed the Fort Worth division as an Assistant Federal Public Defender in 2019. Before moving to Texas, Loui spent three years as an AFPD in Washington, D.C. Prior to becoming an AFPD, Loui clerked for U.S. District Judge Amit P. Mehta in Washington, D.C. and worked at Sidley Austin as an Associate. Loui grew up in Tokyo, Japan, and moved to the United States at the age of 16 to attend boarding school. She graduated from Harvard University in 2007, and worked for the United Nations in Nairobi, Kenya before attending and graduating from New York University School of Law.

Michael Kawi

Michael Kawi joined the Federal Public Defender in 2018. Since joining the FPD he has conducted 3 jury trials to verdict, including an acquittal for a client entrapped by the government in a murder-for-hire plot, as well as an acquittal in the first pandemic-era jury trial. Prior to that he worked as an assistant public defender in Miami-Dade County from 2012-2017, and in that time conducted an additional 20 jury trials. Prior to becoming a public defender he participated in Georgetown University Law Center's Criminal Defense and Prisoner Advocacy Clinic, where he represented individuals as a student attorney in D.C. Superior Court as well as before the parole board. Mr. Kawi graduated from Sarah Lawrence College in 2009 having studied philosophy, poetry, and American songwriting, separately, and sometimes all at once.

Marti Morgan

Marti Morgan joined the Dallas Division of Northern District of Texas Federal Public Defender's Office in July of 2018. Before returning to Texas to become an AFPD, she spent 7 years as an Assistant Public Defender in Miami, Florida, litigating more than 25 jury trials and serving as a Felony Trial Attorney. Marti grew up locally, in Keller; graduated with a degree in English Language in Literature from Yale University in 2003; taught high school English for a few years; and then earned her law degree from Columbia Law School in 2011. She still dearly missed Miami juries.

Douglas Morris

Doug Morris graduated from Texas Tech University School of Law in 2002. He began his legal career as a law clerk to the Honorable Nancy Koenig, United States Magistrate Judge, Northern District of Texas. In 2003, he completed his clerkship and started working first as a Research and Writing Specialist and then later that year as an Assistant Federal Public Defender for the Federal Public Defender in the Northern District of Texas in the office in Dallas, Texas. He continues to work as an Assistant Federal Public Defender in Dallas, Texas.

Judge Audrey F. Moorehead

The Honorable Audrey F. Moorehead is the first woman elected Judge of Dallas County Criminal Court No. 3. Based in Dallas for fourteen years, Judge Moorehead had her own practice specializing in Criminal Defense, Domestic Relations, Wills, Trusts and Probate. She is the 2021 President-Elect for the Texas County Court at Law Judges Association. She began her professional career in executive management with the Visiting Nurse Association of Texas. She was a Judicial Clerk for the Honorable Judge Jay Patterson, 101st District Court and Judicial Intern for the Honorable Judge Sam A. Lindsay, Northern District of Texas. Judge Moorehead served as the only African American female on the Board of Directors of the State Bar of Texas (SBOT) from 2015-2018 including the Executive Committee. She is a former Regional Director for the National Bar Association and former President of the SBOT African American Lawyer's Section. She served two terms on the Board of Directors of the Texas Criminal Defense Lawyer's Association (TCDLA) and the only African American to serve on the Executive Committee. Judge Moorehead is a faculty member and frequent lecturer for the Texas Center for Legal Ethics - James A. Baker Legal Ethics Series. She serves on the Board of Directors for the Dallas Bar Association and the CASA Children's Council. Judge Moorehead is a member of the 2017 class of Leadership Texas, serves on Board of Directors for Legal Hospice of Texas, Advisory Board of Dallas Women Lawyers and Unlocking Doors, an innovative prison reentry program. She is a member of the Dallas Bar Foundation and Texas Bar Foundation. A frequent speaker, she presented for the National Association of Criminal Defense Lawyers Association, SBOT Advanced Family, Advanced Criminal, GP/Solo, Advanced Employment and many others. She holds a Master's of

Business Administration, is a graduate of Texas A&M School of Law and President-Elect of the Texas County At Law Court Judges Association.

Joel Page

Joel Page has worked in the Federal Public Defender's office in Dallas since 2004. He started as a Research and Writing Attorney, became an Assistant Federal Public Defender in 2007, and now serves as the supervisor of the Appellate Division. He's written over 400 briefs to the Fifth Circuit, and helped write merits briefs for two of the office's cases that went to the Supreme Court. Joel is one of the few people that has created more bad precedent than Jason.

Chris Ritter

Chris Ritter graduated magna cum laude from Baylor University in 1994 with a B.A. Political Science and Philosophy. After law school at the University of Texas School of Law (J.D., 1998), he was a trial lawyer in West Texas for over 15 years until he joined TLAP in 2014. Most recently, Chris obtained a master's degree in Clinical Mental Health Counseling from Lamar University (M.Ed., 2018). His peers have recognized him for his legal accomplishments, including being named a Texas Monthly Super Lawyers' Rising Star three times. During his career, his law practice has included being a solo practitioner, an Assistant Criminal District Attorney, and a partner in prominent law firms. In his work at TLAP and in pursuit of his master's degree, he has gained significant knowledge and experience pertaining to mental health and substance use disorders and their treatment.

M. Gabriela Vega

Gabriela Vega joined the Northern District of Texas Federal Public Defender's Office in Dallas as an Assistant Federal Public Defender in November of 2017. Prior to becoming an AFPD, she worked in commercial litigation at Baker Botts, L.L.P. In 2016, she departed Baker Botts to help lead a new legal services project for sexual assault survivors at the Equal Justice Center, a nonprofit law firm that represents low-wage and immigrant workers in employment disputes. She graduated summa cum laude with a Bachelor of Arts in International Relations, Spanish and French from the Ohio State University and earned her law degree from Harvard Law School. After graduating, she clerked for United States District Judge Andrew Hanen in Brownsville, Texas. In her short time in the office she has secured more dismissals than Stephen Green.