

OCT 12 2018

ALASKA JUDICIAL COUNCIL

## Alaska Judicial Council Application for Judicial Appointment

Position(s) for which you wish to be considered:  
Palmer Superior Court

Date: 10-12-2018

### I. Public Information (Questions 1-24)

#### Personal

1. (a) State full name\* John Christian Cagle  
Name as it should appear on bar survey: John C. Cagle  
\* Unless otherwise specified, this is how your name will appear on the bar survey.
- (b) Have you ever used or been known by any other name? If so, please identify.  
No.
2. How long have you been a resident of the State of Alaska immediately preceding the date of this application? \*\*  

	<u>8</u>	years	<u>0</u>	months
Total	<u>8</u>	years	<u>0</u>	months
3. How long have you been engaged in the active practice of law immediately preceding the date of this application? \*\*  

	<u>11</u>	years	<u>6</u>	months
Total	<u>13</u>	years	<u>10</u>	months

#### Nonlegal Education

4. State names and dates of attendance of all colleges and professional schools (other than law schools) ever attended and degrees and dates conferred. List any honors.  
University of North Carolina-Charlotte 1989-1992; 1994-1996; 1998-2000  
B.A. History with Minors in Political Science and American Studies  
Chancellor's List: Spring 1999; Fall 1999; Spring 2000  
Catawba Valley Comm. College 1992-93

\*\* See AS 22.10.090; see also 1984 Inf. Op. Atty. Gen. (July 19; 366- 624-84).

## Legal Education

5. List all law schools, dates attended and degrees conferred. If you did not receive a degree from any law school, please indicate.

Widener University School of Law, 2003-2005, LL.M. in Health Care Law

Gonzaga University School of Law, 2000-2003, J.D.

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6. (a) Did you receive any honors in law school or belong to any honorary societies or groups?

Yes  No If yes, please give details.

Gonzaga Law Review, Managing Editor 2002-03/Associate Editor 2001-02

Cali Award for Excellence in Legal Writing I and Employment Discrimination;

Dean's Academic Honors List Spring 2001; Spring 2002; and Fall 2002.

Graduated with honors from Gonzaga (cum laude) and Widener (honoris causa);

Phi Alpha Delta Law Fraternity

- (b) Have you taken any CLE (continuing legal education) courses during the past five years?

Yes  No

Please describe or list. Please do not attach individual certificates of attendance.

See attached list marked Attachment 1

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## Military

7. Have you served in the armed forces (reserves or otherwise)?  Yes  No

If so, please provide the following information:

(a) Dates of service: 9/88-3/93 (NG); 3/93-10/93 (USAR); 10/93-11/95(IRR); 11/95-5/96 (USAR); 5/96-6/97(NG); 6/97-4/99 (IRR)

(b) Branch of service: North Carolina Army National Guard and US Army Reserve

(c) Rank at time of discharge: 3/93 Discharge E-4; All subsequent E-3

(d) Type of military discharge: 3/93 (Honorable); 6/97 (General under Honorable); '99 (Honorable)

(e) Awards or citations: Marksman (M-16); Expert (Hand Grenade); Army Service Ribbon;  
National Defense Service Medal; Army National Guard Recruiter Badge; Graduated  
Primary Leadership Development Course (NCO School) in 1993.

- (f) Have you ever been refused admission to or released from any of the armed services for reasons other than honorable discharge?  Yes  No If so, state the details.

All discharges under honorable conditions. However, an ongoing dispute relating to bonus pay led to my  
release to the Individual Ready Reserve in 10/1993 and general discharge under honorable conditions in

6/1997. Both instances were related to Army demanding bonus pay returned although the bonus conditions

had been noted satisfied in 1992 per my 1993 DD-214. I refused to drill if my wages were going to be garnished.

## Nonlegal Employment

8. Describe major nonlegal working experience. If you had a business or association that has been discontinued, please note whether there are unpaid debts or claims pending litigation. Other significant employment includes academic instruction at the following institutions:
1. Kaplan University Online Undergraduate Criminal Justice Program where I taught introductory and senior level courses, to include Criminal Law, Constitutional Law, Criminal Procedure, History of Criminal Justice, and Research Methods.
  2. Gaston College Online Criminal Justice Program where I taught Court Procedure and Evidence and Introduction to Criminal Justice; and
  3. University of North Carolina at Charlotte Post-Baccalaureate Paralegal Certificate Program where I developed curriculum for and taught Legal Writing, Legal Ethics, and Real Estate for post-baccalaureate students to qualify to sit for the North Carolina State Bar Certified Paralegal Exam.

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### List of All Academic Courses/Terms Taught:

Court Procedure and Evidence; Gaston College, Fall 2010  
Criminal Procedure; Kaplan University Online, June Term 2009  
Criminal Procedure; Kaplan University Online, August Term 2009  
Criminal Procedure; Kaplan University Online, February Term 2010  
Criminal Procedure; Kaplan University Online, July Term 2010  
Criminal Law for Criminal Justice; Kaplan University Online, February Term 2010  
Criminal Law for Criminal Justice; Kaplan University Online, March Term 2010  
Criminal Law for Criminal Justice; Kaplan University Online, November Term 2010  
History of Criminal Justice; Kaplan University Online, November Term 2009  
Introduction to Constitutional Law; Kaplan University Online, June Term 2010  
Introduction to Constitutional Law; Kaplan University Online, August Term 2010  
Introduction to Constitutional Law; Kaplan University Online, April Term 2010  
Introduction to Criminal Justice; Gaston College, Fall 2010  
Legal Ethics; University of North Carolina at Charlotte, Fall 2006  
Legal Ethics; University of North Carolina at Charlotte, Spring 2006  
Legal Writing; University of North Carolina at Charlotte, Spring 2006  
Legal Writing; University of North Carolina at Charlotte, Fall 2006  
Legal Writing; University of North Carolina at Charlotte, Spring 2007  
Legal Writing; University of North Carolina at Charlotte, Winter 2007-08  
Real Estate Law; University of North Carolina at Charlotte, Summer 2006  
Real Estate Law; University of North Carolina at Charlotte, Spring 2008  
Research Methods for Criminal Justice; Kaplan University Online, January Term 2012  
Research Methods for Criminal Justice; Kaplan University Online, June Term 2012

## Legal Experience

9. Describe chronologically your legal employment since admission to law school. **Please provide dates and location of employment, name of employer, name AND CURRENT ADDRESS OF supervisor or person who can verify AND COMMENT ON YOUR employment, the reason you left the position, and a brief description of type of practice (i.e., insurance defense, criminal, appellate, general, litigation, etc.) for each position listed below.** IF YOU ARE CURRENTLY A TRIAL COURT JUDGE, PLEASE LIST YOUR PRESIDING JUDGE. FOR PAST JUDGESHIPS, PLEASE LIST THE JUDGE WHO LAST PRESIDED DURING YOUR TIME ON THE BENCH.

The Council will ask for comments from your current and former employers about your employment and your judicial qualifications. You may choose to list other persons as character and professional references in response to Question 20 of this application.

If the supervisor or contact person asks (in writing) that the letter be shared with the governor, the Council will send designated letters for each nominee. The applicant should not request a copy of the letter from the reference. References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

**Current Employer:** State of Alaska Dep't of Law (Criminal Division) Medicaid Fraud Control Unit

Supervisor or name of contact person who can verify employment: Paul Miovas

Current address of this person: 310 K. Street, Suite 601

City Anchorage State AK Zip 99501

Dates and location of Employment: From 07/2018 To Present City Anchorage State AK

Description: Unit Director (Attorney V); serve as chief prosecutor for the unit in criminal and civil prosecution of Medicaid provider fraud and patient abuse. Supervise unit attorneys and staff.

**Previous Employers:** *(In chronological order, most recent first)*

Employer: State of Alaska Department of Law (Criminal Division) - Various DAOs

Supervisor or name of contact person who can verify employment: Rick Allen, District Attorney

Current address of this person: 310 K. Street; Ste. 520

City Anchorage State AK Zip 99501-1975

Dates and Location of Employment: From 10/2010 To 7/2018 City Various State AK

Description: Assistant District Attorney (Attorney III (2010-2014)/Attorney IV (2014-2018)). Prosecuted felonies and misdemeanors in State Court represented State in PCRs. Kotzebue (2010-2012); Kodiak (2012-2014); Palmer (2014-2017); Anchorage (2017-2018)

Reason for Leaving: Appointed Director of Medicaid Fraud Control Unit

Employer: Self Employed - John C. Cagle, Attorney and Counsellor at Law

Supervisor or name of contact person who can verify employment: \_\_\_\_\_

Current address of this person: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates and Location of Employment: From 4/2010 To 10/2010 City Hickory State North Carolina

Description: General practice focusing on criminal defense and tort litigation. Criminal caseload consisted of privately retained clients and appointed clients through North Carolina Indigent Defense Services.

Reason for Leaving: Move to Alaska

**Previous Employers (continued)**

Employer: Law Offices of Jason E. Taylor, P.C.

Supervisor or name of contact person who can verify employment: Jason E. Taylor

Current address of this person: 120 3rd Street N.E.

City Hickory State NC Zip 28601

Dates and Location of Employment: From 04/2007 To 04/2010 City Hickory State NC

Description: Plaintiff's tort litigation, including medical malpractice and workers' compensation, and criminal defense and general civil litigation, including construction litigation, contract, civil rights and child in need of aid.

Reason for Leaving: Start own practice

Employer: Office of the District Attorney, 25th Prosecutorial District, North Carolina

Supervisor or name of contact person who can verify employment: James C. Gaither (Former DA) or Eric Bellas (Chief ADA)

Current address of this person: \_\_\_\_\_

City Hickory State NC Zip \_\_\_\_\_

Dates and Location of Employment: From 2/2004 To 2/2007\*\* City Various State NC

Description: Assistant District Attorney (Superior Court 2005-07 in Catawba Co. NC and District Court 2004-05 in Burke County); general misd. prosecution in Burke Co/felonious white collar & property in Catawba

Reason for Leaving: Desire for increase in Pay

\*\* NOTE: Took leave of absence fall semester 2005 (late August - December) to complete LL.M. full time

Employer: Layman, Layman & McKinley (now Layman Law Firm P.L.L.P.)

Supervisor or name of contact person who can verify employment: Kathryn McKinley or John R. Layman

Current address of this person: \_\_\_\_\_

City Spokane State WA Zip \_\_\_\_\_

Dates and Location of Employment: From 5/2001 To 8/2001 City Spokane State WA

Description: Legal Intern. Researched and wrote legal memoranda, reviewed and summarized depositions, prepared some pleadings and filed civil pleadings in State and Federal court.

Reason for Leaving: Left to focus on school and law review

Employer: \_\_\_\_\_

Supervisor or name of contact person who can verify employment: \_\_\_\_\_

Current address of this person: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Description: \_\_\_\_\_

Reason for Leaving: \_\_\_\_\_

Employer: \_\_\_\_\_

Supervisor or name of contact person who can verify employment: \_\_\_\_\_

Current address of this person: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Description: \_\_\_\_\_

Reason for Leaving: \_\_\_\_\_

10. During your legal career, please indicate (approximately) the following:

(a) Percent of your practice that was: Civil 30  
Criminal 70  
Other \_\_\_\_\_  
= 100%

Comment: Approximately three years (2007-2010) of primarily civil practice, all remaining practice is criminal, although post conviction matters are civil.

(b) Percent: State 99.9  
Federal 0.1  
Other \_\_\_\_\_  
= 100%

Comment: Only two cases I can recall of federal nature, both civil in nature and settled prior to trial with only one actually being a filed case in federal court - both 1983 actions.

(c) Of practice in state courts, percent: Supreme Court 0  
Court of Appeals 0.1  
Superior Court 60  
District Court 39.9  
= 100%

Comment: All percentages estimates, of all cases handled, only small amount appellate.

(d) Frequency of appearance in court:  
 Regularly  Occasionally  Infrequently  Not at All

Comment: As an Assistant District Attorney I was in court almost daily, but as Director of Medicaid Fraud Control Unit court appearances have dramatically dropped.

(e) Number of trials (by court or jury) you conducted:  
 None  1- 5  6-15  16-30  31 or more

Comment: Approximately 175 bench trials in 2004 in Criminal District Court alone ("rocket docket" system in NC); approx. 25+ jury trials in North Carolina 2005-2010; approx. 25+ jury trials 2010-present in Alaska

(f) Percent of these trials which were: Jury 25 Non-Jury 75

Comment: Sheer number of bench trials skews number. The percentages are not a true reflection of the time investment. North Carolina jury trials included civil and criminal (criminal as prosecution and defense).

(g) Approximate number of appellate matters handled: 4

Comment: See above (not including matters where Superior Court acting in appellate capacity)

(h) Approximate number of arbitrations or administrative hearings:  
 None  1-5  6-15  16-30  31 or more

Briefly describe type of matters heard: Mandated Civil District Court arbitrations; DMV licensure hearings including appeals to Superior Court; Mandated Superior Court Mediations;

Voluntary Superior Court Arbitrations; Workers' Compensation administrative hearings

(i) Please briefly summarize any *pro bono* work that you have done and indicate whether the work was done through a *pro bono* legal service provider (e.g. Alaska Legal Services, Alaska Network on Domestic Violence and Sexual Assault, etc.).

- 2018 Mat-Su Valley MLK Free Legal Clinic, volunteer attorney in area of Landlord Tenant.  
- During private practice took on a number of cases pro bono, to include two matters of Department of Social Services actions removing children from the home, several matters for recovery of property damage, and two cases representing debtors in collection actions.

11. List all the courts and administrative tribunals in the United States or elsewhere to which you are or have been admitted to practice, and the dates of admission.

North Carolina State Bar - August 2003

Federal Court - Western District of North Carolina - September 2003

State of Alaska - February 2011

## Public Service

12. List bar associations, and sections and committees of which you are or have been a member or officer.

CURRENT: Alaska Bar Ass'n: Juvenile Section Member; Law Related Education Comm.; Comm. on Fair & Impartial Courts; Tutors Comm.; CINA/Juvenile Delinquency Rules Committee

PAST: Mat-Su Bar Ass'n Vice President 2016-17; North Carolina Bar Ass'n (Voluntary Organization); Catawba County Bar Ass'n (Voluntary Local Bar) 2nd Vice President 2010; NC Bar Ass'n Bench-Bar Liaison Committee Member 2005; Catawba County Juvenile Crime Prevention Council 2005; Burke County Juvenile Crime Prevention Council 2004.

13. List legal publications, if any (give title, subject and date of publications). Please include publications you have co-authored and the name(s) of the co-author(s).

None

14. Have you ever applied for a judgeship?  Yes  No

Please list dates and judgeships applied for, as well as whether you were nominated by the Judicial Council and appointed.

Judgeship	Date	Nominated By Council (Y/N)	Appointed By Governor (Y/N)
District Court Judge, 25th Distr. NC	2009	N*	N
Superior Court Judge, Palmer	2016	Y	N
Superior Court Judge, Anchorage	2017	N	N
District Court Judge, Anchorage	2017	Y	N

Superior Court Judge Anchorage

2017

N

N

District Court Judge, Anchorage

2017

N

N

Superior Court Judge Anchorage

2018

N (withdrew)

N

\*Judges are elected in North Carolina. A seat became vacant by death of a Judge and process to fill the vacancy until next election cycle was to have the local bar members meet and nominate three candidates to send to Governor for appointment. The appointed Judge had to run in the next election cycle to keep the seat. Out of the 13 or so candidates, I was not selected for nomination.

15. Have you ever held public or political office, elective or appointive?  Yes  No

If so, state office, manner selected, and when and where held.

Answer not considering that assistant district attorneys work for an elected district attorney in North Carolina and are, under one definition of the rule a political appointee in that they serve at the pleasure of an elected official.

16. Please provide the Council with information that you would like the Council to consider about other legal and nonlegal organizations and clubs of which you are a member, including civic, charitable, religious, educational, social and fraternal organizations. Please indicate whether you participate in the organization's activities, or simply hold a membership. Your involvement in the community is one of the criteria the Council uses in its evaluations. The Council does not use affiliation with a particular group as a criterion except to the extent that it might raise questions of conflict of interest or would affect an applicant's ability to impartially apply the law.

Cub Scouts of America Volunteer

Den Leader (2016-2017)

Pack Leader (Cubmaster) (2017-2018)

Pack's chair for popcorn fund-raiser in fall 2016 and 2017.

American Legion (member with no active participation).

Challenge Alaska Ski/Snowboard School Volunteer Ski Instructor, Alyeska Ski Resort (2016- )

Professional Ski Instructors of America (National and NW)

Alpine Level I Certified Ski Instructor

Adaptive Level I Certified Ski Instructor (Visual and Cognitive Impairments)

17. Indicate (Yes or No) whether you have ever:

(a) been arrested, charged with, pled guilty or *nolo contendere* to, or been convicted of the violation of any law or ordinance, or been requested to appear before any prosecuting or investigative agency in connection with any matter in any jurisdiction, including all traffic offenses, unless the fine was less than \$50 and there were no other sanctions?

Yes  No

(b) failed to answer any summons or other legal process served upon you personally at any time?  Yes  No

(c) as a member of any armed forces, been the subject of any charges which may have resulted in disciplinary action or court martial?  Yes  No



- (d) had any proceedings brought to have you declared a ward of any court or adjudged an incompetent?  Yes  No

If your answer is "yes" to any part of this question, state the facts in detail. Give the name and place of the court or agency, dates of the beginning and end of any action or proceeding, case numbers, and the judgment or other disposition.

17(c): At the time of my initial enlistment in the North Carolina National Guard in September of 1988, I signed a contract containing an enlistment bonus. It was completely satisfied in 1992.

When my unit was decommissioned in 1993 I opted to go into the USAR and I received an Honorable Discharge transferring to the USAR. Soon thereafter, the Defense Finance Actng Service demanded payment of about half of the bonus back. After some years with the threat of drilling with wages garnished, and now back in the NCARNG, I refused to drill, which led to an administrative demotion through Article 15 proceeding (non-judicial proceeding) and discharge under honorable conditions in 1997.

18. (a) Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities?  Yes  No

In particular, have you been the subject of any proceeding, criminal or civil, initiated against you by the Internal Revenue Service or a State Tax Office?  Yes  No  
If so, give particulars, including case numbers.

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- (b) Have you ever been sued by a client?  Yes  No

If so, give particulars, including case numbers.

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- (c) Have you ever been a party in any other legal proceeding?  Yes  No

If so, give the particulars. Include all legal proceedings in which you were a party in interest, including petitioner or respondent in dissolution or divorce proceedings; a material witness; a named co-conspirator or correspondent; and subject or witness in any grand jury proceedings. Do not list proceedings in which you were sued only in a representative capacity (e.g. guardian ad litem, or as Commissioner of Natural Resources).

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19. State the nature and disposition of any of the following actions which apply to you:

- (a) Are there any unsatisfied judgments against you?  Yes  No  
Have you ever defaulted in the performance of any court-imposed obligation, including payment of alimony or child support or compliance with another court order or decree?

Yes  No

In each case, list the name and address of the creditor, the court which rendered the judgment, the case number, the date, the amount of the judgment, and the circumstances on which such claim was based.

Has property owned by you been either judicially or non-judicially foreclosed?

Yes  No

Please state the circumstances and outcome of any such unsatisfied or default judgment, or of any foreclosure.

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- (b) Have you ever made an assignment for the benefit of creditors?  Yes  No  
Have you ever filed any petition in bankruptcy?  Yes  No  
If so, state the circumstances, case number, and the outcome.

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## References and Counsel Questionnaires\*

- \* **Please Note:** Letters of reference from these persons are confidential and will not be given to the applicant. If the reference asks (in writing) that the letter be shared with the governor, the Council will send designated letters and counsel questionnaires for each nominee. The applicant should not request a copy of the letter from the reference. (You **should not** list the Chief Justice of the Alaska Supreme Court.)

References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

20. (a) List the names, addresses, **including zip codes**, and **phone numbers** of two persons whom the Judicial Council may contact who can discuss your general character and background.

Name: Chuck Norman  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: Ian Taylor  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

- (b) List the names, addresses, **including zip codes**, and **phone numbers** of three other persons whom the Judicial Council may contact who can discuss your professional competence and qualifications for a judicial position.

Name: Stephen A. Wallace  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: John A. Earthman  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: Roman Kalytiak  
Address: 515 E. Dahlia Ave, Suite 150  
City/State/Zip: Palmer, AK 99645 Phone: \_\_\_\_\_

## References and Counsel Questionnaires (continued)

(c) List the names, addresses, **including zip codes, and suite numbers where applicable**, of each attorney involved in your three most recent cases that have gone to trial. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent trials they presided over.) List only those cases that have gone to trial within the past three years. Please include the judge's name and case names and numbers. (*Attach additional pages if necessary.*)

### Case Number 1

**Case Name:** State of Alaska **Case Number:** 3AN-16-09770CR  
**v.** Alfonso Matthews **Judge Name:** Hon. Catherine M. Easter

#### Attorneys Involved:

Name: <u>Dan Lowery, PDA - Anchorage</u>	Name: <u>Sarah Park (2nd Chair for State)</u>
Address: <u>900 W 5th Ave, Ste 200</u>	Address: <u>310 K. Street, Suite 520</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

### Case Number 2

**Case Name:** State of Alaska **Case Number:** 3AN-17-06320CR  
**v.** Dominique Kyle James Swain **Judge Name:** Hon. Michael D. Corey

#### Attorneys Involved:

Name: <u>Tristan Bordon, PDA - Anchorage</u>	Name: <u>Monique Eniero, PDA-Anchorage</u>
Address: <u>900 W 5th Ave, Ste 200</u>	Address: <u>900 W 5th Ave, Ste 200</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

### Case Number 3

**Case Name:** State of Alaska **Case Number:** 3AN-17-07656CR  
**v.** Ezra Willson **Judge Name:** Hon. Catherine M. Easter

#### Attorneys Involved:

Name: <u>Gretchen Staft, PDA - Anchorage</u>	Name: <u>Hazel Blum (1st Chair for State)</u>
Address: <u>900 W 5th Ave, Ste 200</u>	Address: <u>310 K. Street, Suite 520</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**References and Counsel Questionnaires (continued)**

(d) List the names, addresses, **including zip codes, and suite numbers where applicable**, of each attorney involved in your three most recent cases that did not go to trial but in which you did significant work. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent cases they presided over that did not go to trial but in which they did significant work.) Please include the judge's name and case names and numbers. (*Attach additional pages if necessary.*)

**Case Number 1**

**Case Name:** I.T.M.O. Post-Conviction Relief **Case Number:** 3PA-13-2871 CI  
**v.** Application of Albert B. Escholt **Judge Name:** Hon. Vanessa White

**Attorneys Involved:**

Name: <u>Nancy Driscoll Stroup</u>	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 2**

**Case Name:** I.T.M.O. Post-Conviction Relief **Case Number:** 3PA-13-01704CI  
**v.** Application of Sean Aubrey **Judge Name:** Hon. Vanessa White

**Attorneys Involved:**

Name: <u>Olena Kalytiak Davis</u>	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 3**

**Case Name:** I.T.M.O. R.D.R. **Case Number:** 3KO-13-0008DL  
**v.** (Discretionary Waiver Litigation) **Judge Name:** Hon. Steve W. Cole

**Attorneys Involved:**

Name: <u>Emily Jura, PDA</u>	Name: <u>John Bernitz, PDA</u>
Address: <u>900 W. 5th Ave, Ste. 200</u>	Address: <u>900 W. 5th Ave, Ste. 200</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: <u>Allan Thielen, PDA (initially assigned)</u>	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

## Writing Sample

21. Attach one example of a brief, memorandum of law, or legal opinion or similar example of legal writing (10-20 pages in length; 15-25 pages for appellate positions) prepared solely by you within the last five years. Please choose a sample that reflects your ability to do legal research and analysis. If you do not have a good sample of this length, include an excerpt from a longer writing. Make sure the sample contains sufficient facts to make it understandable. (Some reply briefs may not meet these requirements.)

Please do not submit: (a) coauthored writing samples, (b) samples with confidential information unless redacted to remove such information, (c) longer writing samples.

22. Has any **public** sanction been imposed against you in response to a complaint, charge or grievance brought against you as an attorney or a judge?  Yes  No

Have formal grievance procedures been brought against you?  Yes  No

See Bar Rule 22(b) & (e) concerning public bar grievance procedures against attorneys, and AS 22.30.011(b) and .060(b)(3) concerning public disciplinary grievance procedures against judges.

Have you ever been held in contempt of court?  Yes  No

Have you ever been fined or otherwise sanctioned by a judge?  Yes  No

In each case, state in detail the circumstances and the outcome.

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## Additional Comments (Non-Confidential)

23. Please make any additional comments that you wish to bring to the Council's attention about your experience and suitability for this judgeship.

In 2010 the North Carolina District Court certified me as an arbitrator for the 25th Judicial District, North Carolina.

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## Biographical Statement

Name John C. Cagle

Position(s) for which you wish to be considered:

Palmer Superior Court

*Please leave this area blank*

Date: 10-12-2018

I attended Gonzaga University Law School where I served as Managing Editor of the Law Review and graduated with honors in 2003. While in law school, I met my wife, a fourth-generation Alaskan. We married in Anchorage in 2004 and she joined me in North Carolina where I was working as a prosecutor.

I earned an LL.M. in health law with honors in 2005, having attended school full time in the fall of 2003 and 2005.

In April 2007, I joined a private firm focused on personal injury, medical malpractice, and workers' compensation with limited criminal defense and general civil litigation.

In 2010, we moved to Kotzebue, where I started my Alaska legal career as an Assistant District Attorney. I transferred to Kodiak in 2012, Palmer in 2014, and Anchorage in 2017.

In July of 2018 I was appointed as the Director of the Medicaid Fraud Control Unit.



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ATTACHMENT 1

LEGAL TRAINING/CONTINUING EDUCATION COURSES  
ATTENDED IN THE PAST 5 YEARS

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**Overdose Death Investigation and Prosecution Training**, October 2018; Alaska Department of Law/NAGTRI; Anchorage, Alaska.

**Alaska District Attorneys' Conference**, October 2018; Alaska Department of Law; Girdwood/Anchorage, Alaska.

**National Assoc. of Medicaid Fraud Control Units Annual Tng.**, October 2018; NAMFCU; San Diego, California.

**National Opioid Abuse: Consumer Protection and Enforcement**, July 2018; NAGTRI; Austin, Texas.

**Alaska District Attorneys' Conference**, October 2017; Alaska Department of Law; Anchorage, Alaska.

**Alaska District Attorneys' Conference**, October 2016; Alaska Department of Law; Anchorage, Alaska.

**Colony High School Supreme Court LIVE**, October 2016; Presenter at Wasilla High School; Wasilla, Alaska

**Mental Health First Aid – Public Safety Course**, December 2015; National Council for Community Behavioral Healthcare, Wasilla, Alaska.

**Cell Phone Forensics Training**, November 2015; National Computer Forensics Institute, Hoover, Alabama.

**Alaska District Attorneys' Conference**, October 2015; Alaska Department of Law; Anchorage, Alaska.

**FASD & the Equivalence of Intellectual Disability in Last Frontier**, October 2015, Anchorage, Alaska.

**Computer Forensics Training**, February 2015; National Computer Forensics Institute, Hoover, Alabama.

**Alaska District Attorneys' Conference**, October 2014; Alaska Department of Law; Girdwood, Alaska.

**Alaska District Attorneys' Conference**, October 2013; Alaska Department of Law; Girdwood, Alaska.