

OCT 12 2018

ALASKA JUDICIAL COUNCIL

Alaska Judicial Council Application for Judicial Appointment

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

Anchorage District Court _____

Date: October 12, 2018

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* David Arthur Nesbett
Name as it should appear on bar survey: David A. Nesbett

* 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? **
Total 46 years 7 months

3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **
Total 19 years 9 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.

Wesleyan University, College of Letters Honors Program, 1990-1994, BA 1994

** 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.

University of the Pacific, McGeorge School of Law, 1995-1998, JD 1998

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.

(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.

I consistently attend the annual Alaska Bar and the Federal Bar Conventions. I also consistently attend CLE ethics courses and regularly attend federal CJA monthly meetings. I also attend subject matter CLE courses such as trial advocacy. I also stay current through Alaska Bar Association committee memberships.

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: _____
- (b) Branch of service: _____
- (c) Rank at time of discharge: _____
- (d) Type of military discharge: _____
- (e) Awards or citations:

(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.

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.

I paid my way through school by working as a deck hand on a commercial fishing boat in Bristol Bay, and working up to 100 hours a week during summers on the North Slope for oil company contractors both as a general laborer and then later as a roustabout and heavy equipment operator. I also worked as a laborer and equipment operator for local construction companies in Anchorage before getting the jobs on the North Slope.

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: Nesbett & Nesbett, PC

Supervisor or name of contact person who can verify employment: Michelle Nesbett

Current address of this person: 750 West 2nd Avenue, Suite 105

City Anchorage State Alaska Zip 99501

Dates and location of Employment: From 01/2011 To Present City Anchorage State Alaska

Description:

Private law firm of two attorneys, focusing on criminal defense (state and federal), and small business and commercial matters.

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

Employer: Jermain Dunnagan & Owens, PC

Supervisor or name of contact person who can verify employment: Mark Melchert

Current address of this person: 3000 A Street, Suite 300

City Anchorage State Alaska Zip 99503

Dates and Location of Employment: From 04/2008 To 12/2010 City Anchorage State Alaska

Description: Construction law and litigation, including chagne order and delay claims and platting and zoning disputes; appellate work before the Alaska Supreme Court.

Reason for Leaving: Start my own firm.

Employer: Dorsey & Whitney, LLP

Supervisor or name of contact person who can verify employment: Michael Grisham* (Please see attached No. 9 Con't)

Current address of this person: 1031 West 4th Avenue, Suite 600

City Anchorage State Alaska Zip 99501

Dates and Location of Employment: From 03/2007 To 03/2008 City Anchorage State Alaska

Description: Trial attorney in the civil litigation department; commercial business litigation and criminal defense.

Reason for Leaving: Pursue job opportunity with Jermain Dunnagan & Ownes.

Previous Employers (continued)

Employer: State of Alaska, District Attorney's Office in Anchorage
Supervisor or name of contact person who can verify employment: Richard Allen* (Please see attached No. 9 Con't)
Current address of this person: 310 K Street
City Anchorage State Alaska Zip 99501
Dates and Location of Employment: From 08/2004 To 01/2007 City Anchorage State Alaska
Description:

Felony Criminal Prosecution; worked out of U.S. Attorney's Office as Special Assistant U.S. Attorney; state and federal court; felony trials and appeals.

Reason for Leaving: Pursue job opportunity with Dorsey & Whitney.

Employer: Municipality of Anchorage, Prosecutor's Office
Supervisor or name of contact person who can verify employment: Seneca Theno* (Please see attached No. 9 Con't)
Current address of this person: 632 West 6th Avenue, Suite 210
City Anchorage State Alaska Zip 99501
Dates and Location of Employment: From 12/2001 To 08/2004 City Anchorage State Alaska
Description:

Criminal prosecution; Anchorage municipal misdemeanor trial work.

Reason for Leaving: Pursue job opportunity with State of Alaska, DA's Office.

Employer: United States District Court
Supervisor or name of contact person who can verify employment: Judge H. Russel Holland
Current address of this person: 222 West 7th Avenue, #54
City Anchorage State Alaska Zip 99513
Dates and Location of Employment: From 09/1998 To 09/2000 City Anchorage State Alaska
Description:

Federal Judicial Clerkship

Reason for Leaving: End of two year clerkship term.

Employer: United States Department of Justice
Supervisor or name of contact person who can verify employment: Bryan Schroder* (Please see attached No. 9 Con't.)
Current address of this person: 222 West 7th Avenue, #9 Room 253
City Anchorage State Alaska Zip 99513
Dates and Location of Employment: From 07/1997 To 08/1997 City Anchorage State Alaska
Description:

U.S. Attorney's Office legal internship, Criminal Division
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Reason for Leaving: Third year of law school.

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:

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Reason for Leaving: _____

* No. 9 (Cont'd.)

While at Dorsey & Whitney, I worked with Michael Grisham and he can verify my employment with the firm. Bill Evans was managing partner of the firm at the time and he can comment on my employment. Mr. Evans can be reached at the law firm of Sedor, Wendlandt, Evans & Filippi, 500 L Street, Suite 500, Anchorage, Alaska 99501.

Richard Allen is the Anchorage District Attorney and he can verify my employment with the State of Alaska. Susan Parkes was the Deputy Attorney General at the time and she can comment on my employment. Ms. Parkes can be reached at Alyeska Pipeline Services Co., Box 196660 MS 569, Anchorage, Alaska 99519.

Seneca Theno is the Anchorage Municipal Prosecutor and she can verify my employment with the City. R. Bruce Roberts was the Municipal Prosecutor at the time and he can comment on my employment. Mr. Roberts can be reached at TSA, 410 N. 44th Street, Suite 300, Phoenix, Arizona 85008.

Bryan Schroder is the U.S. Attorney and he can verify my employment with the USAO internship program. Supervising attorneys at the time included AUSA's Joe Bottini, Stephan Collins and Steven Skrocki. They all can comment on my employment from then until now, as I continue to work with them, and they all can be reached at the U.S. Attorney's Office, 222 West 7th Avenue, #9 Room 253, Anchorage, Alaska 99513.

I am listing other individuals as references for professional competence in answer to Question No. 20.

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

(a) Percent of your practice that was: Civil 40
Criminal 60
Other _____
= 100%

Comment: _____

(b) Percent: State 50
Federal 50
Other _____
= 100%

Comment: _____

(c) Of practice in state courts, percent: Supreme Court 10
Court of Appeals _____
Superior Court 25
District Court 65
= 100%

Comment: _____

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

Comment: _____

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

Comment: State and federal, does not include 10+ small claims trials

(f) Percent of these trials which were: Jury 90 Non-Jury 10

Comment: _____

(g) Approximate number of appellate matters handled: 10
Comment: Includes federal criminal appeals and state civil appeals

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

Briefly describe type of matters heard:

Employment related matters; traffic trials, FED hearings; hearing officer.

(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.).

Volunteer work for Alaska Legal Services 2007-2008 while employed at Dorsey & Whitney. In addition, one of the benefits of owning my own firm is the freedom to help people who cannot afford the high cost of legal fees. During the past eight years, I have provided a great deal of either free or discounted legal work on behalf of individuals in need.

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.

State: Alaska (November 1998); Washington (November 2001). Federal: U.S. District Court (February 1999); U.S. Court of Appeals 9th Circuit (June 2005).

Public Service

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

Alaska Bar Association; Washington Bar Association; Anchorage Bar Association; Alaska Third Judicial District Area Discipline Committee; Alaska Fair and Impartial Courts Committee; Alaska Bar Examiner's Committee; Criminal Justice Act (CJA) panel of private attorneys.

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).

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)
Alaska Court of Appeals	05/2012	N	N
Anchorage District Court	05/2017	N	N
Anchorage District Court	09/2017	N	N

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.

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.

Active, participating member of the U.S. Air Force Chief of Staff Civic Leader Program under General Goldfein, Chief of Staff, USAF.

Active participating member of the Civilian Advisory Board under Lt. General Thomas A. Bussiere, Commander Eleventh Air Force, USAF.

Active, participating member of the Municipality of Anchorage Board of Ethics, Chair of the Board from January 2015-May 2017.

Active, participating member of Anchorage Downtown Rotary.

Membership in the Aircraft Owners Pilots Association (AOPA) and Alaska Airman's Association, General Aviation Private Pilot.

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.

Traffic ticket, Failure to Yield (April 2000) \$50 fine (paid).

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.

- (b) Have you ever been sued by a client? Yes No
If so, give particulars, including case numbers.

- (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).

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.

- (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.

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: Judge Jennifer S. Henderson
Address: 825 West 4th Ave
City/State/Zip: Anchorage, Alaska 99501 Phone: (907) 264-0802

Name: Judge Michael B. Logue
Address: 303 K Street
City/State/Zip: Anchorage, Alaska 99501 Phone: (907) 264-0666

- (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: Judge H. Russel Holland
Address: 222 West Seventh Avenue, #54
City/State/Zip: Anchorage, Alaska 99513 Phone: (907) 677-6252

Name: Judge J. Patrick Hanley
Address: 303 K St.
City/State/Zip: Anchorage, Alaska 99501 Phone: (907) 264-0643

Name: Judge Jo-Ann Chung
Address: 303 3 K St.
City/State/Zip: Anchorage, Alaska 99501 Phone: (907) 264-0643

References and Counsel Questionnaires (continued)

(c) List the names, addresses, **including zip codes, and suite numbers where applicable**, and phone numbers 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: United States **Case Number:** 4:14-cr-00027-RRB
v. Seneca Neal **Judge Name:** Ralph R. Beistline

Attorneys Involved:

Name: <u>AUSA Stephen Cooper</u>	Name: <u>D. Scott Dattan</u>
Address: <u>101 12th Avenue, Rm. 310</u>	Address: <u>2600 Denali Street, Suite 460</u>
City, State, Zip: <u>Fairbanks, Alaska 99701</u>	City, State, Zip: <u>Anchorage, Alaska 99503</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: United States **Case Number:** 3:14-cr-00096-RRB
v. Charlie Lewis, III **Judge Name:** Ralph R. Beistline

Attorneys Involved:

Name: <u>AUSA Timothy Edmonds</u>	Name: <u>Stephanie Courter</u>
Address: <u>1801 California St. Suite 1600</u>	Address: <u>One American Square, Ste 2900</u>
City, State, Zip: <u>Denver, CO 80202</u>	City, State, Zip: <u>Indianapolis, IN 46282</u>
Name: <u>AUSA Frank Russo</u>	Name: _____
Address: <u>222 West 7th Avenue, #9 Rm 253</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99513</u>	City, State, Zip: _____

Case Number 3

Case Name: Affordable Loan Company **Case Number:** 3AN-14-01340 SC
v. Destinie Lowry **Judge Name:** David R. Wallace

Attorneys Involved:

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
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**, and phone numbers 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: United States **Case Number:** 3:15-cr-00021-SLG
v. ADA Station Communication **Judge Name:** Sharon L. Gleason

Attorneys Involved:

Name: <u>Judge Yvonne Lamoureux</u>	Name: <u>Brian Heady</u>
Address: <u>825 West 4th Ave</u>	Address: <u>205 East Benson Blvd, Suite 102</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99503</u>

Name: <u>T. Burke Wonnell</u>	Name: _____
Address: <u>801 B. Street, Suite 101</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____

Case Number 2

Case Name: Carpenter **Case Number:** 3AN-11-05867 CI
v. Dolan **Judge Name:** Frank A. Pfiffner

Attorneys Involved:

Name: <u>Scott A. Schillinger</u>	Name: _____
Address: <u>1601 Abbott Rd, Suite 202</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99507</u>	City, State, Zip: _____

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

Case Number 3

Case Name: State of Alaska, DWC **Case Number:** Supreme Court No. S-15166
v. Titan Enterprises, LLC **Judge Name:** Alaska Supreme Court Appeal

Attorneys Involved:

Name: <u>Aesha Pallesen</u>	Name: _____
Address: <u>820 West 4th Avenue</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____

Name: _____	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.

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.

Please see attached.

No. 23 (Cont'd.) I grew up flying, fishing and hunting throughout the state of Alaska with my father and grandfather, both of whom taught me great respect for this state and its people. I now enjoy carrying on that tradition with my wife and two daughters. My experiences living and practicing law in Alaska have fostered my love of this state and my devotion to serving the Alaska legal community to the best of my ability.

After working on the North Slope during summers between school, I returned to Alaska after law school and served two years as a law clerk for U.S. District Judge H. Russel Holland. I then spent five years as a prosecutor at the local, state, and federal levels. For over two and a half years I worked as a Special Assistant U.S. Attorney prosecuting federal firearms and controlled substances offenses, managing all aspects of the cases from grand jury presentation and indictment through trial, sentencing and appeal.

For approximately four years I worked in private practice at Dorsey & Whitney and Jermain, Dunnagan & Owens, focusing on civil litigation and construction law. I had always dreamed of running my own business and in 2011 my wife, Michelle, and I opened our own office forming the law firm of Nesbett & Nesbett. We have successfully operated our own law firm together for over six years, during which time I have built a practice based on criminal defense, including state and federal misdemeanor and felony violations, fish and wildlife violations, white-collar crime, and as conflict counsel for the Federal Defender's Office. I also have an established clientele of small Alaska businesses, including medical professionals, contractors and construction companies.

The majority of my legal career has been spent in the courtroom as a trial attorney. I regularly appear in both state and federal trial courts, and have tried approximately 20 jury trials, including two federal criminal jury trials last year. I have represented the government and individual clients on appeal to the Alaska Supreme Court and the Ninth Circuit Court of Appeals.

As an active and involved member of our community, I contribute much of my time serving on local, state and federal boards and commissions. I am a member of the Anchorage Municipal Board of Ethics, serving as Chair for the past two years. I have served on the Alaska Bar Examiner's Committee and am presently serving on the Attorney Discipline and Fair and Impartial Courts Committees for the Alaska Bar Association.

For the past eight years, I have been a volunteer member of the Civilian Advisory Board on behalf of the U.S. Air Force Commander in Alaska. For the past six years, I have also been a volunteer member of the U.S. Air Force Chief of Staff Civic Leader group, which meets often with Air Force leadership locally and in Washington, D.C. to help facilitate communication and collaboration between civilian and military leadership.

The strength of my application rests largely on the wide range of experience I have been able to accumulate in nearly 20 years of law practice, all in Alaska. It includes acting as hearing officer for a rural school district, working with and appearing before the Anchorage Assembly on behalf of the Board of Ethics, and handling small claims trials and resolving many more outside of the courtroom. I have appeared in District Court regularly throughout my entire career on both criminal and civil matters, and recognize the need to treat each individual with respect and

dignity while also remaining cognizant of the need to work through the court's docket efficiently.

My family has a long history of honorably serving Alaska and its courts, and I have made a conscientious effort to carry on in the same tradition in the way I live my life, raise my family, represent my clients, and serve my state. I want to continue this tradition by serving the State of Alaska as a District Court Judge in Anchorage.

Additional Comments (Continued)

24. Please indicate whether you prefer to be interviewed in public session or in private session. Your choice of a public or private interview has no bearing on the Council's determination of your qualifications or on the questions the Council may ask. You may change your request in writing at any time before the interview starts.

Public Interview

Private Interview

25. Please prepare a brief biographical statement (*limited to 150 words*) about your background, legal education, and legal experience. Please do not list personal information about minor children. Your picture and a copy of this statement will be scanned and posted on the Council's website after the application deadline. In its bar survey, the Council will invite attorneys to review the information if they wish to become more familiar with your background and experience. Use the form on the following page for your biographical statement. Please leave the box at the top empty. The Council will use this space for your scanned picture. ***To be fair to all applicants, the Council will strictly enforce the 150 word limit.***

If you object to the posting of your picture on the Council's website, please indicate your objection below. If you object, we will not post your picture, although you still must submit two photographs of yourself with your application.

If you check this box we will not post your picture on the website.

Biographical Statement

Name David A. Nesbett

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

Anchorage District Court

Please leave this area blank

Date: October 12, 2018

I am a third-generation Alaskan, born and raised in Anchorage. After graduating from West High, I traveled back east for my undergraduate education at Wesleyan University in Connecticut, and then went to law school at McGeorge in California.

I clerked for U.S. District Court Judge H. Russel Holland for two years, followed by over five years as a prosecutor with the Municipal Prosecutor's Office and the District Attorney's Office, including two years working out of the federal prosecutor's office as a Special Assistant U.S. Attorney. As a prosecutor, I handled both trials and appeals in state and federal court.

After working with two large law firms, I followed a dream and opened a law office with my wife and law partner, Michelle Nesbett, in 2011. Half our practice is civil work for small businesses and individuals, and the other half is criminal defense and appeals in state and federal courts.