

## TEXAS

Texas was organized in 1845 as a single district with one judge.<sup>1</sup> Twelve years later it was divided into the Eastern and Western districts, with one judgeship for each district.<sup>2</sup> The Northern District was added in 1879,<sup>3</sup> followed by the Southern District in 1902.<sup>4</sup>

TX.ED.01 is the original judgeship (see Judge Watrous' line of succession), and served the entire state until the division into the Eastern and Western Districts in 1857. TX.ND.02 was created as a temporary position in 1898, with the proviso that the next vacancy on the court would not be filled. When Judge Rector (TX.ND.01.01) died while in office that same year, his line ended and TX.ND.02 became a regular position. TX.ND.03 and .04 both were authorized as temporary lines, and both were subsequently converted to permanent in 1935.<sup>5</sup> TX.SD.03 was created as a temporary slot in 1949 and converted to permanent five years later.<sup>6</sup> TX.ED.08 was also authorized as a temporary judgeship,<sup>7</sup> with the stipulation that the first vacancy on the court occurring ten or more years after the confirmation of the original occupant would not be filled.

Texas resides in the Fifth Circuit,<sup>8</sup> and has fifty-two judgeships: eight (including the temporary) in the Eastern District, nineteen in the Southern, twelve in the Northern, and thirteen in the Western.

<b>Statutory History</b>		
<i>Seat</i>	<i>Legislation</i>	<i>Authority</i>
TX.ED.01	Act of December 29, 1845	9 STAT. 1
TX.ED.02	Act of February 10, 1954	68 STAT. 8

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<sup>1</sup>Act of December 29, 1845, 9 STAT. 1.

<sup>2</sup>Act of February 21, 1857, 11 STAT. 164.

<sup>3</sup>Act of February 24, 1879, 20 STAT. 318. The legislation provided for one judgeship.

<sup>4</sup>Act of March 11, 1902, 32 STAT. 65. One judgeship was authorized.

<sup>5</sup>Act of August 19, 1935, 49 STAT. 659.

<sup>6</sup>Act of February 10, 1954, 68 STAT. 8.

<sup>7</sup>Act of November 2, 2002, 116 STAT. 1758.

<sup>8</sup>See Harvey C. Couch, *A History of the Fifth Circuit 1891-1981* (Washington: Judicial Conference of the United States, 1984); Deborah J. Barrow and Thomas G. Walker, *A Court Divided: The Fifth Circuit Court of Appeals and the Politics of Judicial Reform* (New Haven: Yale University Press, 1988).

TX.ED.03	Act of June 2, 1970	84 STAT. 294
TX.ED.04	Act of October 20, 1978	92 STAT. 1629
TX.ED.05	Act of July 10, 1984	98 STAT. 333
TX.ED.06	Act of July 10, 1984	98 STAT. 333
TX.ED.07	Act of December 1, 1990	104 STAT. 5089
TX.ED.08	Act of November 2, 2002	116 STAT. 1758
TX.ND.01	Act of February 24, 1879	20 STAT. 318
TX.ND.02	Act of February 9, 1898	30 STAT. 240
TX.ND.03	Act of February 26, 1919	40 STAT. 1183
TX.ND.04	Act of September 14, 1922	42 STAT. 837
TX.ND.05	Act of May 19, 1961	75 STAT. 80
TX.ND.06	Act of May 19, 1961	75 STAT. 80
TX.ND.07	Act of June 2, 1970	84 STAT. 294
TX.ND.08	Act of October 20, 1978	92 STAT. 1629
TX.ND.09	Act of October 20, 1978	92 STAT. 1629
TX.ND.10	Act of October 20, 1978	92 STAT. 1629
TX.ND.11	Act of July 10, 1984	98 STAT. 333
TX.ND.12	Act of December 1, 1990	104 STAT. 5089
TX.ND.13	Act of December 1, 1990	104 STAT. 5089
TX.SD.01	Act of March 11, 1902	32 STAT. 65
TX.SD.02	Act of May 31, 1938	52 STAT. 585
TX.SD.03	Act of August 3, 1949	63 STAT. 493
TX.SD.04	Act of August 3, 1949	63 STAT. 493
TX.SD.05	Act of May 19, 1961	75 STAT. 80
TX.SD.06	Act of March 18, 1966	80 STAT. 75
TX.SD.07	Act of March 18, 1966	80 STAT. 75
TX.SD.08	Act of June 2, 1970	84 STAT. 294
TX.SD.09	Act of October 20, 1978	92 STAT. 1629

TX.SD.10	Act of October 20, 1978	92 STAT. 1629
TX.SD.11	Act of October 20, 1978	92 STAT. 1629
TX.SD.12	Act of October 20, 1978	92 STAT. 1629
TX.SD.13	Act of October 20, 1978	92 STAT. 1629
TX.SD.14	Act of December 1, 1990	104 STAT. 5089
TX.SD.15	Act of December 1, 1990	104 STAT. 5089
TX.SD.16	Act of December 1, 1990	104 STAT. 5089
TX.SD.17	Act of December 1, 1990	104 STAT. 5089
TX.SD.18	Act of December 1, 1990	104 STAT. 5089
TX.SD.19	Act of December 15, 2000	114 STAT. 2762
TX.WD.01	Act of February 21, 1857	11 STAT. 164
TX.WD.02	Act of February 26, 1917	39 STAT. 938
TX.WD.03	Act of May 19, 1961	75 STAT. 80
TX.WD.04	Act of March 18, 1966	80 STAT. 75
TX.WD.05	Act of June 2, 1970	84 STAT. 294
TX.WD.06	Act of October 20, 1978	92 STAT. 1629
TX.WD.07	Act of July 10, 1984	98 STAT. 333
TX.WD.08	Act of December 1, 1990	104 STAT. 5089
TX.WD.09	Act of December 1, 1990	104 STAT. 5089
TX.WD.10	Act of December 1, 1990	104 STAT. 5089
TX.WD.11	Act of December 15, 2000	114 STAT. 2762
TX.WD.12	Act of November 2, 2002	116 STAT. 1758
TX.WD.13	Act of November 2, 2002	116 STAT. 1758

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.ED.01.01	Watrous, John Charles	May 29, 1846	April 1, 1870	Retired	Democrat
TX.ED.01.02	Winch, Joel C.	Unconfirmed recess appointment <sup>9</sup>	March 4, 1871	Not confirmed	Republican
TX.ED.01.03	Morrill, Amos	February 5, 1872	October 18, 1883	Resigned	Republican
TX.ED.01.04	Sabin, Chauncey Brewer	April 5, 1884	March 30, 1890	Deceased	Republican
TX.ED.01.05	Bryant, David Ezekiel	May 27, 1890	February 10, 1910	Deceased	Democrat
TX.ED.01.06	Russell, Gordon James	June 6, 1910	September 14, 1919	Deceased	Democrat
TX.ED.01.07	Estes, William Lee	February 18, 1920	June 14, 1930	Deceased	Democrat
TX.ED.01.08	Bryant, Randolph	January 13, 1931	April 3, 1951	Deceased	Republican
TX.ED.01.09	Sheehy, Joseph Warren	June 7, 1951	February 23, 1967	Deceased	Democrat
TX.ED.01.10	Justice, William Wayne	June 6, 1968	June 30, 1998	Retired	Democrat
TX.ED.01.11	Ward, T. John	July 13, 1999	Active	Active	Democrat
TX.ED.02.01	Cecil, Lamar John Ryan	December 2, 1954 <sup>10</sup>	February 14, 1958	Deceased	Republican
TX.ED.02.02	Fisher, Joe J.	September 10, 1959	January 30, 1984	Retired	Democrat

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<sup>9</sup>Recess appointment, October 11, 1870.

<sup>10</sup>Recess appointment, August 31, 1954.

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.ED.02.03	Hall, Sam B., Jr.	May 3, 1985	April 10, 1994	Deceased	Democrat
TX.ED.02.04	Folsom, David	March 17, 1995	Active	Active	Democrat
TX.ED.03.01	Steger, William M.	November 25, 1970	January 1, 1988	Retired	Republican
TX.ED.03.02	Schell, Richard A.	May 27, 1988	Active	Active	Republican
TX.ED.04.01	Parker, Robert M.	April 24, 1979	June 15, 1994	Elevated to Fifth Circuit	Democrat
TX.ED.04.02	Heartfield, Thad	March 17, 1995	Active	Active	Democrat
TX.ED.05.01	Cobb, Howell	April 3, 1985	March 1, 2001	Retired	Republican
TX.ED.05.02	Clark, Ronald H.	October 2, 2002	Active	Active	Republican
TX.ED.06.01	Brown, Paul Neeley	October 16, 1985	April 1, 2001	Retired	Republican
TX.ED.06.02	Davis, Leonard E.	May 9, 2002	Active	Active	Republican
TX.ED.07.01	Hannah, John H., Jr.	March 10, 1994	December 4, 2003	Deceased	Democrat
TX.ED.07.02	Schneider, Michael H., Sr.	September 7, 2004	Active	Active	

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.ED.08.01	Crone, Marcia A.	September 30, 2003	Active	Active	
TX.ND.01.01	McCormick, Andrew Phelps	April 10, 1879	March 17, 1892	Elevated to Fifth Circuit	Republican
TX.ND.01.02	Rector, John B.	March 28, 1892	April 9, 1898	Deceased	Republican
TX.ND.02.01	Meek, Edward Roscoe	February 15, 1899 <sup>11</sup>	December 31, 1935	Retired	Republican
TX.ND.02.02	Davidson, Thomas Whitfield	January 30, 1936	November 1, 1965	Retired	Democrat
TX.ND.02.03	Taylor, William M., Jr.	July 22, 1966	February 7, 1979	Retired	Democrat
TX.ND.02.04	Buchmeyer, Jerry Lynn	October 4, 1979	September 5, 2003	Retired	Democrat
TX.ND.02.05	Boyle, Jane J.	June 17, 2004	Active	Active	
TX.ND.03.01	Wilson, James Clifton	June 24, 1919 <sup>12</sup>	July 31, 1947	Retired	Democrat
TX.ND.03.02	Dooley, Joseph Brannon	July 8, 1947	October 1, 1966	Retired	Democrat
TX.ND.03.03	Woodward, Halbert O.	June 6, 1968	December 30, 1986	Retired	Democrat
TX.ND.03.04	Cummings, Sam R.	December 8, 1987	Active	Active	Republican

<sup>11</sup>Recess appointment, July 13, 1898.

<sup>12</sup>Recess appointment, March 5, 1919.

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.ND.04.01	Atwell, William Hawley	January 9, 1923	December 31, 1954	Retired	Republican
TX.ND.04.02	Estes, Joe Ewing	July 28, 1955	July 1, 1972	Retired	Republican
TX.ND.04.03	Mahon, Eldon B.	June 28, 1972	September 30, 1989	Retired	Democrat
TX.ND.04.04	McBryde, John H.	August 3, 1990	Active	Active	Republican
TX.ND.05.01	Hughes, Sarah Tilghman <sup>13</sup>	March 16, 1962 <sup>14</sup>	August 4, 1975	Retired	Democrat
TX.ND.05.02	Higginbotham, Patrick E.	December 12, 1975	July 30, 1982	Elevated to Fifth Circuit	Republican
TX.ND.05.03	Fish, Allen Joe	February 23, 1983	Active	Active	Republican
TX.ND.06.01	Brewster, Leo	March 16, 1962 <sup>15</sup>	November 1, 1973	Retired	Democrat
TX.ND.06.02	Porter, Robert W.	June 13, 1974	January 17, 1990	Retired	Republican
TX.ND.06.03	Solis, Jorge Antonio	September 12, 1991	Active	Active	Republican

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<sup>13</sup>First female district judge appointed from Texas.

<sup>14</sup>Recess appointment, October 5, 1961.

<sup>15</sup>Recess appointment, October 5, 1961.

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.ND.07.01	Hill, Robert M.	November 25, 1970	June 15, 1984	Elevated to Fifth Circuit	Republican
TX.ND.07.02	Fitzwater, Sidney A.	March 18, 1986	Active	Active	Republican
TX.ND.08.01	Belew, David O., Jr.	April 24, 1979	May 7, 1990	Retired	Democrat
TX.ND.08.02	Means, Terry Robert	October 31, 1991	Active	Active	Republican
TX.ND.09.01	Robinson, Mary Lou	April 24, 1979	Active	Active	Democrat
TX.ND.10.01	Sanders, Harold Barefoot, Jr.	April 24, 1979	January 1, 1996	Retired	Democrat
TX.ND.10.02	Lynn, Barbara M.	November 17, 1999	Active	Active	Democrat
TX.ND.11.01	Maloney, Robert B.	October 16, 1985	August 31, 2000	Retired	Republican
TX.ND.11.02	Godbey, David C.	August 1, 2002	Active	Active	Republican
TX.ND.12.01	Kendall, Elton Joe	May 12, 1992	January 22, 2002	Resigned	Republican
TX.ND.12.02	Kinkeade, James E.	November 14, 2002	Active	Active	Republican



<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.ND.13.01	Lindsay, Sam A.	March 11, 1998	Active	Active	Democrat
TX.SD.01.01	Burns, Waller Thomas	April 24, 1902	November 17, 1917	Deceased	Republican
TX.SD.01.02	Hutcheson, Joseph Chappell, Jr.	April 6, 1918	January 26, 1931	Elevated to Fifth Circuit	Democrat
TX.SD.01.03	Kennerly, Thomas Martin	February 4, 1931	August 29, 1954	Retired	Republican
TX.SD.01.04	Ingraham, Joe McDonald	August 6, 1954	December 18, 1969	Elevated to Fifth Circuit	Republican
TX.SD.01.05	Bue, Carl O., Jr.	October 13, 1970	September 2, 1987	Retired	Republican
TX.SD.01.06	Hoyt, Kenneth M.	March 31, 1988	Active	Active	Republican
TX.SD.02.01	Allred, James V.	February 16, 1939 <sup>16</sup>	May 15, 1942	Resigned	Democrat
TX.SD.02.02	Hannay, Allen Burroughs	August 6, 1942	August 6, 1975	Retired	Democrat
TX.SD.02.03	Sterling, Ross N.	May 6, 1976	January 14, 1988	Deceased	Republican
TX.SD.02.04	Lake, Simeon Timothy, III	August 11, 1988	Active	Active	Republican
TX.SD.03.01	Connally, Ben C.	October 12, 1949	December 28, 1974	Retired	Democrat

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<sup>16</sup>Recess appointment, July 11, 1938.

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.SD.03.02	O'Connor, Robert, Jr.	April 24, 1975	September 30, 1984	Resigned	Republican
TX.SD.03.03	Hughes, Lynn Nettleton	December 16, 1985	Active	Active	Republican
TX.SD.04.01	Allred, James V.	October 13, 1949	September 24, 1959	Deceased	Democrat
TX.SD.04.02	Garza, Reynaldo G. <sup>17</sup>	April 13, 1961	July 13, 1979	Elevated to Fifth Circuit	Democrat
TX.SD.04.03	Vela, Filemon B.	June 18, 1980	May 1, 2000	Retired	Democrat
TX.SD.04.04	Hanen, Andrew S.	May 9, 2002	Active	Active	Republican
TX.SD.05.01	Noel, James L., Jr.	March 16, 1962 <sup>18</sup>	December 15, 1976	Retired	Democrat
TX.SD.05.02	Cowan, Finis E.	June 13, 1977	June 30, 1979	Resigned	Democrat
TX.SD.05.03	Gibson, Hugh, Jr.	October 4, 1979	November 1, 1989	Retired	Democrat
TX.SD.05.04	Kent, Samuel B.	September 28, 1990	Active	Active	Republican
TX.SD.06.01	Seals, Woodrow B.	July 22, 1966	December 25, 1982	Retired	Democrat
TX.SD.06.02	Hinojosa, Ricardo H.	May 4, 1983	Active	Active	Republican

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<sup>17</sup>First Hispanic district judge appointed from Texas.

<sup>18</sup>Recess appointment, October 5, 1961.

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.SD.07.01	Singleton, John V., Jr.	July 22, 1966	April 1, 1988	Retired	Democrat
TX.SD.07.02	Harmon, Melinda F.	May 18, 1989	Active	Active	Republican
TX.SD.08.01	Cox, Owen D.	November 25, 1970	March 20, 1981	Retired	Republican
TX.SD.08.02	Head, Hayden Wilson, Jr.	October 21, 1981	Active	Active	Republican
TX.SD.09.01	Kazen, George Philip	May 10, 1979	Active	Active	Democrat
TX.SD.10.01	McDonald, Gabrielle Anne Kirk <sup>19</sup>	May 10, 1979	August 14, 1988	Resigned	Democrat
TX.SD.10.02	Rainey, John David	May 11, 1990	Active	Active	Republican
TX.SD.11.01	Cire, George E.	May 10, 1979	May 5, 1985	Deceased	Democrat
TX.SD.11.02	Hittner, David	June 6, 1986	November 11, 2004	Retired	Republican
TX.SD.11.03	Alvarez, Micaela	November 20, 2004	Active	Active	
TX.SD.12.01	Black, Norman W.	May 10, 1979	December 6, 1996	Retired	Democrat

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<sup>19</sup>First African American district judge appointed from Texas.

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.SD.12.02	Ellison, Keith P.	June 30, 1999	Active	Active	Democrat
TX.SD.13.01	DeAnda, James	May 10, 1979	October 1, 1992	Retired	Democrat
TX.SD.13.02	Atlas, Nancy Friedman	June 30, 1995	Active	Active	Democrat
TX.SD.14.01	Werlein, Ewing, Jr.	April 8, 1992	January 1, 2006	Retired	Republican
TX.SD.14.02	Miller, Gray Hampton	April 25, 2006	Active	Active	Republican
TX.SD.15.01	Rosenthal, Lee Hyman	May 12, 1992	Active	Active	Independent
TX.SD.16.01	Gilmore, Vanessa Diane	June 8, 1994	Active	Active	Democrat
TX.SD.17.01	Jack, Janis Graham	March 10, 1994	Active	Active	Democrat
TX.SD.18.01	Tagle, Hilda G.	March 11, 1998	Active	Active	Democrat
TX.SD.19.01	Crane, Robert Randall	March 18, 2002	Active	Active	Independent
TX.WD.01.01	Duval, Thomas Howard	March 3, 1857	October 10, 1880	Deceased	Democrat

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.WD.01.02	Turner, Ezekiel B.	December 20, 1880 <sup>20</sup>	June 2, 1888	Deceased	Republican
TX.WD.01.03	Maxey, Thomas Sheldon	June 25, 1888	December 12, 1916	Resigned	Democrat
TX.WD.01.04	West, Duval	December 21, 1916	November 30, 1931	Retired	Democrat
TX.WD.01.05	McMillan, Robert Johnston	January 12, 1932	October 27, 1941	Deceased	Republican
TX.WD.01.06	Keeling, Walter Angus	January 26, 1942	January 22, 1945	Deceased	Democrat
TX.WD.01.07	Rice, Ben Herbert, Jr.	September 19, 1945	March 14, 1964	Deceased	Democrat
TX.WD.01.08	Suttle, Dorwin W.	June 30, 1964	October 10, 1979	Retired	Democrat
TX.WD.01.09	Shannon, Clyde Frederick, Jr.	June 18, 1980	January 1, 1984	Resigned	Democrat
TX.WD.01.10	Prado, Edward C.	March 30, 1984	May 13, 2003	Elevated to Fifth Circuit	Republican
TX.WD.01.11	Rodriguez, Xavier	July 31, 2003	Active	Active	
TX.WD.02.01	Smith, William Robert, Sr.	April 12, 1917	August 16, 1924	Deceased	Democrat
TX.WD.02.02	Boynton, Charles A.	December 17, 1924	May 1, 1947	Retired	Republican
TX.WD.02.03	Thomason, Robert Ewing	June 3, 1947	June 1, 1963	Retired	Democrat
TX.WD.02.04	Thornberry, Homer	July 15, 1963	July 1, 1965	Elevated to Fifth Circuit	Democrat

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<sup>20</sup>Recess appointment, November 18, 1880.

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.WD.02.05	Roberts, Jack	July 22, 1966	May 1, 1980	Retired	Democrat
TX.WD.02.06	Nowlin, James R.	October 21, 1981	May 31, 2003	Retired	Republican
TX.WD.02.07	Yeakel, Earl Leroy III	July 28, 2003	Active	Active	
TX.WD.03.01	Spears, Adrian A.	March 16, 1962 <sup>21</sup>	October 10, 1979	Retired	Democrat
TX.WD.03.02	Hudspeth, Harry Lee	November 26, 1979	June 30, 2001	Retired	Democrat
TX.WD.03.03	Ludlum, Alia M.	November 14, 2002	Active	Active	Republican
TX.WD.04.01	Guinn, Ernest A.	July 22, 1966	June 9, 1974	Deceased	Democrat
TX.WD.04.02	Sessions, William S.	December 19, 1974	November 1, 1987	Resigned	Republican
TX.WD.04.03	Garza, Emilio M.	April 19, 1988	May 24, 1991	Elevated to Fifth Circuit	Republican
TX.WD.04.04	Garcia, Orlando L.	March 10, 1994	Active	Active	Democrat
TX.WD.05.01	Wood, John H., Jr.	November 25, 1970	May 29, 1979	Deceased	Republican
TX.WD.05.02	Bunton, Lucius Desha, III	November 26, 1979	December 1, 1992	Retired	Democrat
TX.WD.05.03	Briones, David	October 7, 1994	Active	Active	Democrat

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<sup>21</sup>Recess appointment, October 5, 1961.

<b>Seat Histories</b>					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
TX.WD.06.01	Garcia, Hipolito Frank	September 29, 1980	January 16, 2002	Deceased	Democrat
TX.WD.06.02	Junell, Robert A.	February 10, 2003	Active	Active	
TX.WD.07.01	Smith, Walter S., Jr.	October 3, 1984	Active	Active	Republican
TX.WD.08.01	Sparks, Sam	November 21, 1991	Active	Active	Democrat
TX.WD.09.01	Furgeson, William Royal, Jr.	March 10, 1994	Active	Active	Democrat
TX.WD.10.01	Biery, Samuel Frederick, Jr.	March 10, 1994	Active	Active	Democrat
TX.WD.11.01	Martinez, Philip Ray	February 5, 2002	Active	Active	Democrat
TX.WD.12.01	Cardone, Kathleen	July 28, 2003	Active	Active	
TX.WD.13.01	Montalvo, Frank	July 31, 2003	Active	Active	

