

VIRGINIA

The tenth of the original thirteen Colonies, the district courts in Virginia were organized under the Judiciary Act of 1789 as a single district.¹ The Western District was created in 1819, and given a new judgeship.² This district, in turn, became the District of West Virginia in 1864, and Virginia reverted to single-district status.³ The line occupied by Judge Jackson (VA.WD.01) was transferred to West Virginia as a result.⁴ Reorganization into the Eastern and Western Districts followed in 1871, with each district assigned one judgeship.⁵

VA.ED.01 is the original judgeship (see Judge Griffin's succession line), which served the entire state until the line was transferred to the Eastern District in 1819, only to revert back to the District of Virginia when West Virginia was created. The judgeship was assigned permanently to the Eastern District in 1871. VA.ED.10 was created as a temporary line in 1990; its authorization was amended in 1997,⁶ and subsequently made permanent in 2002.⁷

VA.WD.04 was authorized under disability provisions established under Title 28,⁸ under which the President can appoint a temporary judge. When Judge Michie (VA.WD.03) died in office, that line ended and VA.WD.04 effectively became a regular seat.

Virginia is in the Fourth Circuit and has fifteen positions—eleven in the Eastern District, and four in the Western.

Statutory History		
<i>Seat</i>	<i>Legislation</i>	<i>Authority</i>

¹Act of September 24, 1789, 1 STAT. 73. See also, *Inventory of Federal Archives in the States, Series II., No. 45, Virginia* (Richmond: The Virginia Conservation Commission, 1942).

²See *Directory of United States District Court Judges for the Western District of Virginia, 1789-present*, mimeographed copy provided by the clerk of the court.

³Act of June 11, 1864, 13 STAT. 124.

⁴Act of June 11, 1864, 13 STAT. 124. He was reassigned to that state's Northern District where he served until his retirement on March 15, 1905.

⁵Act of February 3, 1871, 16 STAT. 403.

⁶By the Act of October 6, 1997, 111 STAT. 1173, to provide that any vacancies occurring in this district ten or more years from the confirmation date of the initial occupant (Judge Morgan) would not be filled.

⁷Act of November 2, 2002, 116 STAT. 1758.

⁸Act of February 25, 1919, 40 STAT. 29.

VA.ED.01	Act of September 24, 1789	1 STAT. 73
VA.ED.02	Act of August 2, 1935	49 STAT. 508
VA.ED.03	Act of February 10, 1954	68 STAT. 8
VA.ED.04	Act of March 18, 1966	80 STAT. 75
VA.ED.05	Act of March 18, 1966	80 STAT. 75
VA.ED.06	Act of June 2, 1970	84 STAT. 294
VA.ED.07	Act of October 20, 1978	92 STAT. 1629
VA.ED.08	Act of October 20, 1978	92 STAT. 1629
VA.ED.09	Act of July 10, 1984	98 STAT. 333
VA.ED.10	Act of December 1, 1990	104 STAT. 5089
VA.ED.11	Act of December 15, 2000	114 STAT. 2762
VA.WD.01	Act of February 4, 1819	3 STAT. 478
VA.WD.02	Act of February 3, 1871	16 STAT. 403
VA.WD.03	Act of May 31, 1938	52 STAT. 585
VA.WD.04	Act of February 25, 1919 ⁹	40 STAT. 29
VA.WD.05	Act of October 20, 1978	92 STAT. 1629
VA.WD.06	Act of October 20, 1978	92 STAT. 1629

Seat Histories					
<i>Position #</i>	<i>Name</i>	<i>Date of Confirmation</i>	<i>Date of Departure</i>	<i>Reason</i>	<i>Party</i>
VA.ED.01.01	Griffin, Cyrus	February 10, 1790 ¹⁰	December 14, 1810	Deceased	Federalist

⁹Judge Michie was certified disabled by the circuit judicial council on November 6, 1967.

¹⁰Recess appointment, November 28, 1789.

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VA.ED.01.02	Tyler, John	January 3, 1811	January 6, 1813	Deceased	Jeffersonian Democrat
VA.ED.01.03	Tucker, St. George	January 19, 1813	June 30, 1825	Resigned	Jeffersonian Democrat
VA.ED.01.04	Hay, George	March 31, 1826 ¹¹	September 21, 1830	Deceased	Jeffersonian Democrat
VA.ED.01.05	Barbour, Philip Pendleton	December 16, 1830 ¹²	March 15, 1836	Elevated to U.S. Supreme Court	Democrat
VA.ED.01.06	Daniel, Peter Vivian	April 19, 1836	March 2, 1841	Elevated to U.S. Supreme Court	Democrat
VA.ED.01.07	Mason, John Young	March 2, 1841	March 23, 1844	Resigned	Democrat
VA.ED.01.08	Halyburton, James Dandridge	June 15, 1844	April 17, 1861	Resigned	Democrat
VA.ED.01.09	Underwood, John Curtiss	January 25, 1864 ¹³	December 7, 1873	Deceased	Republican
VA.ED.01.10	Hughes, Robert William	January 14, 1874	February 22, 1898	Retired	Republican
VA.ED.01.11	Waddill, Edmund, Jr.	March 22, 1898	June 2, 1921	Elevated to Fourth Circuit	Republican
VA.ED.01.12	Groner, Duncan Lawrence	June 2, 1921	February 21, 1931	Elevated to D.C. Circuit	Republican

¹¹Recess appointment, July 5, 1825.

¹²Recess appointment, October 8, 1830.

¹³Recess appointment, March 27, 1863.

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VA.ED.01.13	Way, Luther B.	March 2, 1931	October 23, 1943	Deceased	Republican
VA.ED.01.14	Hutcheson, Charles Sterling	February 8, 1944	September 1, 1959	Retired	Democrat
VA.ED.01.15	Lewis, Oren Ritter	May 31, 1960	January 1, 1974	Retired	Republican
VA.ED.01.16	Warriner, D. Dortch	May 16, 1974	March 17, 1986	Deceased	Republican
VA.ED.01.17	Smith, Rebecca Beach ¹⁴	October 24, 1989	Active	Active	Republican
VA.ED.02.01	Pollard, Robert Nelson	February 27, 1936	April 22, 1947	Retired	Democrat
VA.ED.02.02	Bryan, Albert V.	June 3, 1947	August 15, 1961	Elevated to Fourth Circuit	Democrat
VA.ED.02.03	Butzner, John D., Jr.	June 15, 1962	August 31, 1967	Elevated to Fourth Circuit	Democrat
VA.ED.02.04	Merhige, Robert R., Jr.	August 18, 1967	November 30, 1986	Retired	Democrat
VA.ED.02.05	Ellis, T.S., III	August 5, 1987	Active	Active	Republican
VA.ED.03.01	Hoffman, Walter E.	July 14, 1954	September 3, 1974	Retired	Republican
VA.ED.03.02	Clarke, Joseph Calvitt, Jr.	December 19, 1974	July 31, 1991	Retired	Republican
VA.ED.03.03	Payne, Robert Elkin	May 12, 1992	Active	Active	Republican

¹⁴First female district judge appointed from Virginia.

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VA.ED.04.01	Kellam, Richard B.	August 18, 1967	May 30, 1981	Retired	Democrat
VA.ED.04.02	Doumar, Robert G.	December 3, 1981	April 30, 1996	Retired	Republican
VA.ED.04.03	Friedman, Jerome B.	November 7, 1997	Active	Active	Democrat
VA.ED.05.01	MacKenzie, John A.	August 18, 1967	November 30, 1985	Retired	Democrat
VA.ED.05.02	Spencer, James R. ¹⁵	October 8, 1986	Active	Active	Independent
VA.ED.06.01	Bryan, Albert V., Jr.	July 29, 1971	December 1, 1991	Retired	Democrat
VA.ED.06.02	Brinkema, Leonie M.	October 18, 1993	Active	Active	Democrat
VA.ED.07.01	Williams, Richard L.	September 29, 1980	May 1, 1992	Retired	Independent
VA.ED.07.02	Jackson, Raymond A.	November 20, 1993	Active	Active	Democrat
VA.ED.08.01	Cacheris, James Chris	November 24, 1981	March 30, 1998	Retired	Republican
VA.ED.08.02	Lee, Gerald Bruce	September 28, 1998	Active	Active	Democrat

¹⁵First African American district judge appointed from Virginia.

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VA.ED.09.01	Hilton, Claude M.	July 10, 1985	December 31, 2005	Retired	Republican
VA.ED.09.02	Vacant				
VA.ED.10.01	Morgan, Henry Coke, Jr.	April 8, 1992	February 8, 2004	Retired	Republican
VA.ED.10.02	Kelley, Walter DeKalb, Jr.	June 23, 2004	Active	Active	
VA.ED.11.01	Hudson, Henry E.	August 1, 2002	Active	Active	Republican
VA.WD.01.01	Jackson, John George	February 24, 1819	March 29, 1825	Deceased	Democrat
VA.WD.01.02	Pendleton, Philip C.	Unconfirmed recess appointment ¹	July 29, 1825	Not confirmed	
VA.WD.01.03	Caldwell, Alexander	January 3, 1826 ¹⁷	April 8, 1839	Deceased	National Republican
VA.WD.01.04	Pennybacker, Isaac Samuels	February 17, 1840 ¹⁸	December 6, 1845	Resigned	Democrat
VA.WD.01.05	Brockenbrough, John White	January 14, 1846 ¹⁹	May 4, 1861	Resigned	Democrat

¹⁶Recess appointment, May 6, 1825.

¹⁷Recess appointment, October 28, 1825.

¹⁸Recess appointment, April 28, 1839.

¹⁹Recess appointment, January 14, 1846.

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VA.WD.01.06	Jackson, John Jay, Jr.	August 3, 1861	March 15, 1905	Retired	Whig
VA.WD.02.01	Rives, Alexander	February 6, 1871	March 1, 1883	Retired	Republican
VA.WD.02.02	Paul, John	March 3, 1883	November 1, 1901	Deceased	Republican
VA.WD.02.03	McDowell, Henry Clay	December 18, 1901 ²⁰	September 1, 1931	Retired	Republican
VA.WD.02.04	Paul, John, Jr.	January 11, 1932	August 1, 1958	Retired	Republican
VA.WD.02.05	Dalton, Ted	August 12, 1959	October 12, 1976	Retired	Republican
VA.WD.02.06	Williams, Glen M.	September 17, 1976	November 21, 1988	Retired	Republican
VA.WD.02.07	Wilson, Samuel Grayson	May 11, 1990	Active	Active	Republican
VA.WD.03.01	Roberts, Floyd H.	Unconfirmed recess appointment ²	February 6, 1939	Not confirmed	Democrat
VA.WD.03.02	Dobie, Armistead Mason	May 25, 1939	December 19, 1939	Elevated to Fourth Circuit	Democrat
VA.WD.03.03	Barksdale, Alfred D.	February 1, 1940 ²²	August 1, 1957	Retired	Democrat

²⁰Recess appointment, November 12, 1901.

²¹Recess appointment, July 6, 1938.

²²Recess appointment, December 19, 1939.

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VA.WD.03.04	Thompson, Roby C.	August 28, 1957	July 29, 1960	Deceased	Republican
VA.WD.03.05	Michie, Thomas J.	June 27, 1961	April 9, 1973	Deceased	Democrat
VA.WD.04.01	Widener, Hiram Emory, Jr.	July 11, 1969	October 12, 1972	Elevated to Fourth Circuit	Republican
VA.WD.04.02	Turk, James C.	October 12, 1972	November 1, 2002	Retired	Republican
VA.WD.04.03	Conrad, Glen Edward	September 22, 2003	Active	Active	
VA.WD.05.01	Michael, James Harry, Jr.	September 29, 1980	October 31, 1995	Retired	Democrat
VA.WD.05.02	Jones, James P.	July 18, 1996	Active	Active	Democrat
VA.WD.06.01	Kiser, Jackson L.	December 3, 1981	April 30, 1997	Retired	Republican
VA.WD.06.02	Moon, Norman K.	November 7, 1997	Active	Active	Democrat