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Experience

- 2018 – present **University of Denver, Sturm College of Law**
Assistant Professor of Law
Courses:
Environmental Law Clinic & Seminar (Fall 2018 – present)
Environmental Justice (Spring 2022)
Other Affiliations:
Legal Committee, Colorado Sierra Club (2021 – present)
Center for Environmental Justice, Colorado State University (2020 – present)
Rocky Mountain Collective on Race, Place & Law (2018 – present)
- 2016 – 2018 **Georgetown University Law Center**
Clinical Teaching Fellow
- 2014 – 2016 **Southern Environmental Law Center**
Associate Attorney
- 2013 – 2014 **U.S. Court of Appeals for the Sixth Circuit**
Law clerk to Judge Gilbert S. Merritt, Jr.

Education

- 2018 LL.M. **Georgetown University Law Center** (*with distinction*)
- 2013 J.D. **Vanderbilt University Law School**
• Bennett Douglas Bell Memorial Award (awarded by faculty for commitment to public-interest law)
• Executive Editor, Environmental Law & Policy Annual Review
• Research assistant to Prof. J.B. Ruhl
- 2010 B.A. **Vanderbilt University** (*magna cum laude*, Political Science)

Publications

Work-in-progress

Law and the Political Economy of Petrosuburbs – While most lawyers are familiar with how law formally prioritizes resource extraction, legal scholars have paid less attention to how these legal protections influence private and political relationships in communities affected by extraction. Drawing on the experiences of communities in Colorado and elsewhere with residential oil & gas development, this Article explores how natural resources law can remake the political economy of communities in ways that undermine democratic engagement and community self-determination.

Law Review Articles

Community Empowerment in Decarbonization: NEPA's Role
96 WASH. L. REV. __ (2021) (forthcoming).

Beyond Emissions: Migration, Prisons, and the Green New Deal
51 ENVTL. L. 161 (2021) (with Danielle C. Jefferis).

Critical Questions in Environmental Law

98 U. DETROIT MERCY L. REV. 487 (2020) (symposium on Race, Class, and Environmental Justice).

How Circuits Can Fix Their Splits

103 MARQ. L. REV. 1401 (2020).

- “Recommended” on [Legal Theory Blog](#), Oct. 10, 2019.
- Featured on appellate litigation blog [How Appealing](#), Sept. 30, 2019.

Cases as Fictions: Clinical Methods in Teaching and Scholarship

4 SAVANNAH L. REV. 95 (2017) (symposium on American Legal Fictions).

A Survey of Constitutional Standing in State Courts

8 KY. J. EQUINE, AGRIC. & NAT. RESOURCES L. 349 (2016).

- Featured on [Legal Theory Blog](#), June 6, 2017.
- Quoted by Supreme Court of Kentucky in *Dep’t for Medicaid Servs. v. Sexton*, 566 S.W.3d 185, 193-94 (Ky. 2018).

Environmental Justice as Civil Rights

18 RICH. J. L. & PUB. INT. 441 (2015).

The Grass is Always Greener: Keystone XL, Transboundary Harms, and Guidelines for Cooperative Environmental Assessment

45 VAND. J. TRANSNAT’L L. 1489 (2012) (note).

Book Chapter

Energy and Climate Change (with James Blanding Holman, VI) in ENVIRONMENTAL LAW IN SOUTH CAROLINA (Wyche & Finklea eds., 3d ed. 2016).

Reviews and Shorter Works

Tenth Circuit Database Project: An Update and Preview, 98 DENV. L. REV. 421 (2021).

Introducing the Tenth Circuit Database Project, 97 DENV. L. REV. 383 (2020).

Excavating Congress’s Relationship to the Administrative State, JOTWELL (July 25, 2018) (reviewing Maggie McKinley, *Petitioning and the Making of the Administrative State*, 127 YALE L.J. 1538 (2018)).

Applying Originalism, 63 UCLA L. REV. DISC. 154 (2015), featured on [The Originalism Blog](#), Feb. 4, 2016.

On Being Mostly Right, JOTWELL (March 3, 2016) (reviewing Samuel Bray, *The Supreme Court and the New Equity*, 68 VAND. L. REV. 997 (2015)), featured on [PrawfsBlawg](#), March 3, 2016.

Administrative Compliance Orders and Due Process After Sackett, TENN. B. ASS’N ENVTL. L. SEC. NEWSL. (July 2013) (Winner of 2013 Jon E. Hastings Memorial Award for writing in environmental law) ([link](#)).

Selected Presentations

- “The Green New Deal,” Denver Law Natural Resources & Environmental Law Society (remotely), March 29, 2021.
- “Environmental Justice,” Colorado Bar Association, Environmental Law Section (remotely), Feb. 23, 2021.
- “The Next Four Years,” Rocky Mountain Collective on Race, Place & Law (remotely), Nov. 10, 2020.
- “Climate Policy & the Election” Denver Law Natural Resources & Environmental Law Society (remotely), Oct. 29, 2020.
- “A New National Environmental Policy: NEPA and the Green New Deal,” Colloquium on Environmental Scholarship, Vermont Law School (remotely), Sept. 26, 2020.
- “A New National Environmental Policy: NEPA and the Green New Deal,” Sabin Colloquium on Innovative Environmental Law Scholarship, Columbia Law School (remotely), May 5, 2020.
- “Critical Influences in Environmental Law,” Detroit Mercy Law Review Symposium on Race, Class and Environmental Justice, Detroit Mercy Law School, March 6, 2020.
- “Immigration Control and Environmental Regulation: Towards Justice?,” AALS Annual Meeting, joint session of Immigration, International, and Environmental Law Sections, Jan. 3, 2020.
- “How Circuits Can Fix Their Splits,” Southern Clinical Conference, LSU Law Center, 2017.
- “The Law of Energy,” Law & Society Symposium, Charleston School of Law, 2016.
- “The Relationship between Law and Environmental Science,” Postgraduate and Early Careers Conference, UCL, 2014.

Selected Media

- Bloomberg Law, "[Biden Era Brings Legal Disappointments for Environmental Groups](#)," June 2, 2021 (quoted).
- Grist, "[The EPA just accused Missouri's environmental agency of violating the Civil Rights Act](#)," May 14, 2021 (quoted).
- Bloomberg Law, "[Biden Environment Agenda Spurs Early Pivots, Attacks in Court](#)," April 20, 2021 (quoted).
- Bloomberg Law, "[Judge Nixes Civil Rights Bid to Block Chicago Metal Shredder](#)," April 15, 2021 (quoted).
- Bloomberg Law, "[Environmental Justice Bill Sharpens Civil Rights Litigation Tool](#)," April 8, 2021 (quoted).
- Lawdragon, "[500 Leading Environmental & Energy Lawyers](#)," March 16, 2021 (named as a leading lawyer in environmental justice & law).
- E&ENews, Climatewire, "[Biden win won't change Juliana's fate](#)," Nov. 18, 2020 (quoted).
- E&ENews, Climatewire, "[4 climate questions for Barrett](#)," Oct. 9, 2020 (quoted).
- E&ENews, Climatewire, "[Biden presidency could spur change in climate litigation](#)," Aug. 18, 2020 (quoted).
- Colorado Independent, "[Some Colorado residents want their local governments to ban fracking. Here's why that probably won't happen](#)," Jan. 6, 2020 (quoted).

Bar Admissions

Colorado, District of Columbia, South Carolina (inactive), Texas

United States Supreme Court; United States Courts of Appeals for the Fourth, Sixth, Ninth, Tenth, and District of Columbia Circuits; United States District Courts for the Districts of Colorado and Columbia.

Litigation

With University of Denver Environmental Law Clinic (2018 – present)

American Lung Assoc., et al. v. U.S. EPA, 985 F.3d 914 (D.C. Cir. 2021)

Authored amicus brief on behalf of historic-preservation advocates highlighting how EPA's rollback of the Clean Power Plan and replacement Affordable Clean Energy rule will irrevocably damage historic places and communities.

Juliana, et al. v. United States, 947 F.3d 1159 (9th Cir. 2020)

Authored amicus brief on behalf of children's rights advocates in support the youth plaintiff's petition for rehearing en banc, detailing remedies provided by the federal courts when government policy uniquely harms children.

Hill v. Warsewa, et al., 947 F.3d 1305 (10th Cir. 2020)

Authored amicus brief on behalf of law professors in a fishing access case, discussing the application of the Equal Footing Doctrine and public trust principles to Colorado's navigable rivers.

Save the Colorado, et al. v. U.S. Bureau of Reclamation, No. 1:17-cv-02563 (D. Colo. 2020)

Challenging federal decisions under NEPA and the CWA to permit a large water resource project that would seriously damage the Colorado River without considering available data on water demand and climate change.

Grand Valley Citizens Alliance v. Colorado Oil & Gas Conserv. Comm'n, 2019CV30618 (Denv. Dist. Ct.)

Challenging a state agency's decision to permit the fifth industrial-scale fracking project in a residential community without considering, among other things, the cumulative impacts of the projects.

Neighbors Affected by Triple Creek v. Colorado Oil & Gas Conserv. Comm'n, 2018CA116 (Colo. Ct. App.)

Challenging a state agency's decision to permit an industrial-scale fracking project in the middle of a residential community without considering mitigation measures requested by the community.

Weld Air & Water, et al. v. Colorado Oil & Gas Conserv. Comm'n, 2018CA1147; cert. denied 2019SC505 (Colo. 2020).

Challenging a state agency's decision to permit an industrial-scale fracking project next to the playgrounds and ballfields of a middle school serving a low-income, primarily Spanish-speaking community. Received the first published decision in Colorado finding citizen standing to challenge oil & gas permits and successfully opposed the agency's petition for certiorari to the Colorado Supreme Court on that issue.

With Georgetown Law Appellate Courts Immersion Clinic (2016 – 2018)

Cirocco v. McMabon, No. 18-1096 (10th Cir.)

Federal-sector Title VII case, asking whether exhaustion of administrative remedies is a jurisdictional requirement, among other things.

United States v. Mitchell, ___ F.3d ___ (6th Cir. 2018)

CJA appointment defending grant of habeas relief from government appeal and cross-appealing district court's decision to impose supervised release after the defendant overserved his statutory maximum sentence by over 7 years.

Jones v. Medtronic, ___ Fed. Appx. ___, (9th Cir. 2018)

Pro bono appointment to federal-preemption case, asking whether federal regulation preempts state-law claims based on a medical device manufacturer's promotion of unapproved, or "off-label," uses of its products.

Alvarez v. City of Brownsville, 904 F.3d 382 (5th Cir. 2018) (en banc)

Section 1983 case, asking whether due process under *Brady v. Maryland* requires the government to disclose exculpatory evidence when negotiating a plea agreement.

Lockwood, Andrews & Newman v. Mason, No. 16-1092, *cert. denied* 137 S.Ct. 2242 (2017)

Supervised clinic students who assisted small plaintiffs' firm in drafting brief opposing certiorari in a Class Action Fairness Act case arising out of the Flint water crisis.

General Motors v. Elliott, No. 16-764, *cert. denied* 137 S.Ct. 1813 (2017)

Supervised clinic students who assisted Georgetown Law professor Gary Peller in drafting brief opposing certiorari on complex due process issues stemming from GM's "Great Recession" bankruptcy.

Advocate Health Care Network v. Stapleton, 137 S.Ct. 1652 (2017)

Merits-stage amicus brief on behalf on National Employment Lawyers Association in case about whether ERISA plans maintained, but not established, by certain church affiliates are exempt from ERISA's protections for retirees.

Lyons v. Johns Hopkins Hospital, 712 Fed. Appx. 287 (4th Cir. 2017) (argued)

Americans with Disabilities Act case, asking whether a disabled social worker is excluded from the protection of the ADA under the statutory exception for "current drug users," among other things.

Andrew F. v. Douglas County School District, 137 S.Ct. 988 (2017)

Merits briefing in an Individuals with Disabilities Education Act case, deciding what the statutory guarantee of a "free and appropriate education" requires.

With Southern Environmental Law Center (2014 – 2016)

Congaree Riverkeeper v. Carolina Water Services, 248 F. Supp. 3d 733 (D.S.C. 2017)

Clean Water Act citizen suit against a privately-owned wastewater treatment facility resulting in a permanent injunction prohibiting any discharge into the affected river and over \$1.5 million in civil penalties.

Preservation Soc'y v. S.C. Dept. of Health & Env'tl. Control, 2017 WL 4838490 (S.C. Ct. App. 2017)

State wetlands permitting case, appealing state administrative law court decision on standing.

S.C. Coastal Conservation League v. U.S. Army Corps of Engineers, 789 F.3d 475 (4th Cir. 2015)

Federal wetlands permitting case, appealing district court's decision on standing and mootness.