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## Senate confirms Mary H. Murguia to 9th Circuit Court

*The former prosecutor has been a U.S. District judge since 2000. The Senate adjourned without voting on 19 of 38 pending judicial appointments by President Obama.*

December 23, 2010 | By Carol J. Williams, Los Angeles Times

U.S. District Judge Mary H. Murguia earned Senate confirmation Wednesday to one of four vacancies on the U.S. 9th Circuit Court of Appeals.

But the nation's largest and busiest appeals court is likely to remain short-handed well into President Obama's third year in office as his other nomination, that of UC Berkeley law professor Goodwin Liu, is about to expire for the second time.

Murguia, a former prosecutor who has been a federal judge since 2000, was nominated to the 9th Circuit on March 25 and advanced to the U.S. Senate for confirmation on Aug. 5. But a dispute between Senate Republicans and Democrats held up her confirmation, as well as dozens of others, including Liu and San Francisco Magistrate Judge Edward M. Chen's appointment to the federal bench for Northern California.

The nominations of Liu and Chen expired in August when the Senate recessed without acting on them. Obama nominated them again in September. If the president were to nominate them a third time when Congress convenes next year, they would probably face even stronger opposition because Republicans picked up more seats in the Senate in the November election.

Liu earned a "well qualified" rating from the American Bar Assn. and is praised by liberals and moderates as a brilliant legal mind with a broad range of expertise. Some Republicans have contended he is "outside the mainstream" and bridled at his academic criticism of Supreme Court Justice Samuel Alito.

Chen has also run into Republican opposition, likely because of his former role as an attorney for the American Civil Liberties Union.

Obama will finish his first two years in office with far fewer judges confirmed than any recent chief executive.

In a statement issued after the Senate adjourned without voting on 19 of 38 pending judicial appointments, People for the American Way accused Republicans of "unprecedented obstruction" and noted that the four district court nominees unanimously opposed by GOP members of the Senate Judiciary Committee are "people of color."

The progressive advocacy group said Liu would be the only Asian American judge on the 9th Circuit.

Murguia, 50, will bring the 9th Circuit's roster of active judges to 26 — still three short of its authorized complement. The appeals court covers a nine-state region and handles upward of 12,000 cases a year.

Murguia is the twin sister of Janet Murguia, a former advisor to President Bill Clinton and president and chief executive of the National Council of La Raza, the nation's largest Latino civil rights group.

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