

CURRICULUM VITAE - NOVEMBER 2017

Timothy Sandefur

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PROFESSIONAL EXPERIENCE

- Feb. 2016-present: The Goldwater Institute Phoenix, AZ
Vice President for Litigation and Clarence J. & Katherine P. Duncan Chair in Constitutional Government
I manage the Institute's litigation and jurisprudence programs.
- July 2004-Feb. 2016: Pacific Legal Foundation Sacramento, CA
Principal attorney (2010-2016), staff attorney (2004-2010).
I managed PLF's Economic Liberty Project, overseeing litigation in Federal and state courts in defense of the right to operate businesses, and challenging occupational licensing and certificate of necessity requirements. I also filed amicus briefs in cases involving a wide variety of other legal issues.
- Sep. 2002-July 2004: Pacific Legal Foundation Sacramento, CA
College of Public Interest Law Fellow
During this post-graduate educational fellowship, I filed briefs in several important cases.
- Research assistant / clerkship positions:
Prof. John C. Eastman; Prof. Tom W. Bell; Prof. Hugh Hewitt; Hart, King & Coldren; Pacific Legal Foundation; Institute for Justice.

BAR MEMBERSHIPS

- California Supreme Court (bar no. 224436) (Feb. 28, 2003)
- Arizona Supreme Court (bar no. 033670) (Apr. 26, 2017)
- United States Supreme Court (June 26, 2006).
- United States Courts of Appeals for the Fourth (Mar. 22, 2011), Fifth (June 29, 2005), Sixth (Apr. 8, 2013), Eighth (Apr. 18, 2006), Ninth, Tenth, Eleventh (Dec. 29, 2004), and District of Columbia Circuit (Apr. 29, 2011).
- United States District Courts for the Northern, Southern (Aug. 26, 2006), Central (Mar. 31, 2017), and Eastern (July 6, 2011) Districts of California, and the Southern District of Florida.

EDITORIAL POSITIONS

Contributor, *PLF On Liberty* (formerly *PLF Eminent Domain Blog*), 2005-2016.
Contributor, *Pandasthumb.org*, 2003-present.
Contributing Editor, *Liberty*, 2001-2010.
Articles Editor, *Nexus: A Journal of Opinion*, 2001-2002.
Anonymous reviewer for: *Reason Papers*, *The Independent Review*

EDUCATION

Degrees:

Juris Doctor, Chapman University, 2002.

Bachelor of Arts (Political Economy), Hillsdale College, 1998.

Associate of Arts, Chaffey College, 1996.

MEMBERSHIPS

California Alliance to Protect Private Property Rights, 2012-17.

-Member of the Board of Directors.

Federalist Society, 2000-present.

-Member of the Executive Board of the Property Rights and Environmental Law Practice Group, 2006-present.

Chapman University Appellate Moot Court Board, 2000-2002.

-Secretary, 2000.

Nexus Editorial Board, 2000-2002.

Chapman University Federalist Society, 1999-2002.

-President, 1999-2000.

Chapman University Public Interest Law Foundation, 1999-2002.

TEACHING POSITIONS AND FELLOWSHIPS

Adjunct Scholar, Cato Institute, 2008-present.

Adjunct Professor of Law, University of the Pacific McGeorge School of Law, 2010.

College of Public Interest Law Fellow, Pacific Legal Foundation, 2002-2004.

Lincoln Fellow, Claremont Institute, 2002.

LEGISLATIVE TESTIMONY

Arizona State House Committee on Judiciary, 2016.

U.S. Senate Judiciary Committee's Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts, 2015.

U.S. House Committee on Small Business, 2014.

Missouri House of Representatives Occupational Licensing Committee, 2014.

U.S. Civil Rights Commission, 2013.

Nevada Senate Transportation Committee, 2013.

Missouri House of Representatives Transportation Committee, 2011.

California Joint Legislative Committee Hearing on Prop. 90 (eminent domain), 2006.

California State Senate Committee on Local Government, 2005

AWARDS AND HONORS

"Appellate Lawyer of The Week," Supreme Court Insider, Dec. 6, 2011.

Cover story, *California Lawyer*, February, 2006.

Ronald Reagan Medal, Claremont Institute, 2004.

Dean's Professionalism Award, Chapman University, 2002.

NOTABLE CASES

Young v. Ricketts, 825 F.3d 487 (8th Cir. 2016).

Underwood v. Mackay, 614 Fed.App'x. 871 (9th Cir. 2015).

Sissel v. Dep't of HHS, 799 F.3d 1035 (D.C. Cir. 2015).

Bruner v. Zawacki, 997 F.Supp.2d 691 (E.D. Ky. 2014).
Hettinga v. United States, 133 S.Ct. 860 (2013) (cert. petition).
California Grocers Ass'n v. Los Angeles, 132 S. Ct. 1144 (2012) (cert. petition).
Munie v. Koster, 2011 WL 839608 (E.D. Mo. Mar. 7, 2011).
Merrifield v. Lockyer, 547 F.3d 978 (9th Cir. 2008).
City of Arnold v. Tourkakis, 249 S.W.3d 202 (Mo. banc 2008).

NOTABLE CITATIONS

Torres v. Seaboard Foods, LLC, 373 P.3d 1057 (Okl. 2016).
Patel v. Texas Dep't of Licensing & Regulation, 469 S.W.3d 69 (Tex. 2015) (Willett, J., concurring).
Gillmor v. Summit County, 246 P.3d 102 (2010).
Lindner v. Kindig, 285 Neb. 386 (2013).
State v. Baldon, 829 N.W.2d 785 (Iowa, 2013).
City of Norwood v. Horney, 110 Ohio St. 3d 353 (2006).
Amunrud v. Bd. of Appeals, 158 Wn.2d 208 (2006).

Timothy Sandefur

PUBLICATIONS

Books:

Frederick Douglass: Self-Made Man (forthcoming, Cato Institute, 2018).

The Permission Society (Encounter Books, 2016).

Cornerstone of Liberty: Property Rights in 21st Century America, Second Edition (with Christina Sandefur) (Cato Institute, 2016).

The Conscience of the Constitution: The Declaration of Independence and the Right to Liberty (Cato Institute, 2014).

The Right to Earn a Living: Economic Freedom and the Law (Cato Institute, 2010).

Cornerstone of Liberty: Property Rights in 21st Century America (Cato Institute, 2006).

Book Chapters:

“Love, Truluv,” in Stefan Storrie & Ezio Di Nucci, *1984 and Philosophy* (forthcoming, Open Court Press, 2018).

“‘The Patrimony of The Poor Man:’ Protecting Economic Liberty in Illinois,” in Joseph E. Tabor, ed., *An Illinois Constitution for The 21st Century* (Chicago: Illinois Policy Institute, 2017).

“Evolution And Classical Liberalism,” in Stephen Dilley, ed., *Darwinian Evolution and Classical Liberalism* (Lanham: Lexington Books, 2013).

“Observations on Arnhart’s Darwinian Conservatism,” in Kenneth Blanchard, ed., *Darwinian Conservatism* by Larry Arnhart (Imprint Academic, 2d. ed., 2009).

“Censorship,” “Constitutionalism,” “Individualism, Political And Ethical,” “Judiciary,” “Frederick Douglass” entries in *The Encyclopedia of Libertarianism* ed. Ronald Hamowy (Washington, D.C.: Cato Institute, 2008), pp. 100-03, 125-27; 241-43; 265-67.

“Innovation” entry in David Henderson, ed. *The Concise Encyclopedia of Economics* (2nd ed. Indianapolis: Liberty Fund, 2007), pp. 270-275.

Scholarly Journals and Papers:

“Hercules and Narragansett among the Originalists,” *Reason Papers* (forthcoming, 2018).

“Escaping the ICWA Penalty Box: In Defense of Equal Protection for Indian Children,” 37 *Children’s Legal Rights Journal* 6-80 (2017).

“State Powers and the Right to Pursue Happiness,” 21 *Texas Review of Law & Politics* 323-30 (2017).

- “Lex Terrae 800 Years On,” 9 *NYU Journal of Law & Liberty* 759-92 (2015).
- “Freedom of Competition And The Rhetoric of Federalism: *North Carolina Board of Dental Examiners v. FTC*,” 2015 *Cato Supreme Court Review* 195-225 (forthcoming, 2015).
- “State ‘Competitor Veto’ Laws and the Right to Earn a Living: Some Paths to Federal Reform,” 38 *Harvard Journal of Law & Public Policy* 1009-72 (2015).
- “Rational Basis And The 12(b)(6) Motion: An Unnecessary ‘Perplexity,’” 25 *George Mason University Civil Rights Law Journal* 43-83 (2014).
- “‘Public Convenience and Necessity’ and Other Conspiracies Against Trade: A Case Study from the Missouri Moving Industry,” 24 *George Mason University Civil Rights Law Journal* 159-203 (2014).
- “Love And Solipsism: Law And Arbitrary Rule in Aeschylus, Shakespeare, Sophocles, and Anouilh,” 64 *Alabama Law Review* 981-1011 (2013).
- “So It’s A Tax...Now What? Some of The Problems Remaining After *NFIB v. Sebelius*,” 17 *Texas Review of Law & Politics* 203-37 (2013).
- “State Standing to Challenge Ultra Vires Federal Action: The Health Care Cases And Beyond,” 23 *University of Florida Journal of Law & Public Policy* 311-44 (2013).
- “Insiders, Outsiders, And The American Dream: How Certificate of Necessity Laws Harm Our Society’s Values,” 26 *Notre Dame Journal of Law, Ethics, & Public Policy* 381-426 (2012).
- “In Defense of Substantive Due Process, or, The Promise of Lawful Rule,” 34 *Harvard Journal of Law & Public Policy* 283-350 (2012).
- “Privileges, Immunities, And Substantive Due Process,” 5 *New York University Journal of Law & Liberty* 115-72 (2010).
- “Does The State Create The Market?” 33 *Harvard Journal of Law & Public Policy* 779-806 (2010).
- “To Pursue And Obtain Happiness And Safety,” Rockford College Center for Ethics And Entrepreneurship (2010).
- “The Timing of Facial Challenges,” 43 *Akron Law Review* 51-77 (2010).
- “Gradual And Silent Encroachments: How The Missouri Supreme Court Expanded The Power of Eminent Domain,” Show-Me Institute Policy Study No. 20, Sept. 15, 2009.
- “Some Problems With Spontaneous Order,” 14 *The Independent Review* 5-25 (2009).
- “The Modern California Supreme Court: Progressivism And Practical Constraints,” Federalist Society White Paper, Oct. 2008 (with Damien M. Schiff).
- “Reason And Common Ground: A Response to The Creationists’ ‘Neutrality’ Argument,” 11 *Chapman Law Review* 129-54 (2008).
- “A Criticism of Ayn Rand’s Theory of Intellectual Property Rights,” 9 *Journal of Ayn Rand Studies* 139-61 (2008).
- “The Wolves And The Sheep of Constitutional Law: A Review Essay on Kermit Roosevelt’s *The Myth of Judicial Activism*,” 23 *Journal of Law & Politics* 1-40 (2007).
- “What Part of ‘No Law’ Don’t You Understand? Getting Government Out of The Politics Business,” 12 *Nexus: A Journal of Opinion* 135-52 (2007).
- “Mine And Thine Distinct: What *Kelo* Says About Our Path,” 10 *Chapman Law Review* 1-48 (2006).
- “The ‘Backlash’ So Far: Will Citizens Get Meaningful Eminent Domain Reform?” 2006 *Michigan State Law Review* 709-77.
- “Don’t Mess With Property Rights in Texas: How The State Constitution Protects Property

- Owners in The Wake of *Kelo*,” 41 *Real Property Probate & Trust Journal* 227-52 (2006).
- “How Libertarians Ought to Think About The U.S. Civil War,” 28 Reason Papers 61-83 (2006).
- “The Information Age, Again,” 11 *Nexus: A Journal of Opinion* 5-13 (2006).
- “Is Economic Exclusion a Legitimate State Interest: Four Recent Cases Test the Boundaries,” 14 *William & Mary Bill of Rights Journal* 1023-62 (2006).
- “Playing the Takings Game: How Government Regulates Away Property Rights,” Goldwater Institute Policy Report No. 210, June 13, 2006.
- “Why The Rule Against Perpetuities Mattered in *Pleasants v. Pleasants*,” 40 *Real Property Probate & Trust Journal* 667-677 (2006).
- “Piercing The Veil of Intelligent Design: Why Courts Should Beware Creationism’s Secular Disguise,” 15 *Kansas Journal of Law & Public Policy* 15-47 (2006) (with Colin McRoberts)
- “Measure 37: Paying People For What We Take,” 38 *Environmental Law* 79-104 (2006) (with Leslie Marshall Lewallen and Steven G. Geiseler).
- “The Declaration of Independence: Annotated,” 9 *Chapman Law Review* 147-155 (2006).
- “‘Nice Questions’ Unanswered: Grokster, Sony’s Staple Article of Commerce Doctrine, And The Deferred Verdict on Internet File Sharing, 2005 *Cato Sup. Ct. Rev.* 235-261 (with David G. Post and Annemarie Bridy)
- “The Burdens of Freedom” (reviewing *Restoring The Lost Constitution* by Randy E. Barnett), 10 *The Independent Review*, 139-50 (2005).
- “A Gleeful Obituary for *Poletown v. City of Detroit*,” 28 *Harvard Journal of Law & Public Policy* 651-78 (2005).
- “A Private Little *Bush v. Gore*, or, How Nevada Violated The Republican Guarantee And Got Away with It,” 9 *Texas Review of Law & Politics* 105-145 (2005).
- “Liberal Originalism: A Past for The Future,” 27 *Harvard Journal of Law & Public Policy* 489-541 (2004).
- “Equality of Opportunity in The Regulatory Age: Why Yesterday’s Rationality Review is Not Enough,” 24 *Northern Illinois University Law Review* 457-507 (2004).
- “You Can’t Get There From Here: How Government Still Threatens King’s Dream,” 22 *Law And Inequality* 1-30 (2004).
- “A Natural Rights View of Eminent Domain in California: A Rationale for Meaningful Judicial Scrutiny of ‘Public Use,’” 32 *Southwestern University Law Review* 569-676 (2003).
- “The Right to Earn A Living,” 6 *Chapman Law Rev.* 207-77 (2003).
- “Dinosaur TRACS: The Approaching Conflict between Establishment Clause Jurisprudence And College Accreditation Procedures,” 7 *Nexus: A Journal of Opinion* 79-95 (2002).
- “The Senate Is Supposed to Advise And Consent, Not Obstruct and Delay,” 7 *Nexus: A Journal of Opinion* 11-25 (2002) (with John C. Eastman), reprinted in *Points of View: Readings in American Government and Politics* ed. by Allan S. Hammock, Robert E. DeClerico (McGraw-Hill, 2008).
- “The Common Law Right to Earn a Living,” 7 *Independent Review* 69-90 (2002).
- “Stephen J. Field: Frontier Justice or Justice on the Natural Rights Frontier?” 6 *Nexus: A Journal of Opinion* 121-29 (2001) (with John C. Eastman).

Newspapers, Magazines, and Other Publications

- “Suffer the Little Children,” *Regulation*, Winter, 2017-18.
- “Native American Children Deserve Equal Protection Under Law,” *Austin American-Statesman*, Nov. 13, 2017.
- “Attorneys General Should Stand Up for Native American Children,” *National Review Online* Nov. 3, 2017.
- “Equal Protection for Native American Children,” *Los Angeles Daily Journal*, Aug. 28, 2017.
- “Captain Cook: Explorer of the Enlightenment,” *The Objective Standard*, vol. 12, no. 2, Summer, 2017.
- “Neil Gorsuch’s Natural Law,” *Reason.com*, Feb. 2017.
- “Pricing Laws Violate Speech,” *Reason.com*, Jan. 21, 2017.
- “The Greeks And America’s Founding Fathers Part 3: The Two Freedoms,” *The Objective Standard*, vol. 12 No. 1, Spring 2017.
- “The Greeks And America’s Founding Fathers Part 2: Learning What Not To Do,” *The Objective Standard*, vol. 11 No. 4, Winter 2016.
- “The Greeks And America’s Founding Fathers Part 1: The Greek Frame,” *The Objective Standard*, vol. 11 No. 3, Autumn 2016.
- “Treat Children As Individuals, Not Resources,” *Cato Unbound*, Aug. 2016.
- “Four Great Modern Poets,” *The Objective Standard*, vol. 11 No. 2, Summer 2016.
- “Anarchy, State, And Zombie Dystopia: Civilization And Its Discontents in *The Walking Dead*,” *Reason*, June 2016.
- “For This Six-year-old, The Law Sees Only Race,” *Wall Street Journal*, March 24, 2016 (with Aditya Dynar).
- “Property Ownership Fairness Act: Protecting Property Rights,” *Ricochet*, Feb. 4, 2016 (with Christina Sandefur)
- “Cornerstone of Liberty: Respecting Private Property Rights,” *Ricochet*, Feb. 3, 2016 (with Christina Sandefur)
- “In Defense of Iconoclasm,” *Brietbart.com*, Jan. 11, 2016.
- “Free Speech for You and Me, but Not for Professionals,” *Regulation*, Winter 2015-16.
- “The Politics of Star Trek,” *Claremont Review of Books*, Summer, 2015.
- “Think Licensing Laws Are Unfair? It Gets Worse.” *Real Clear Policy*, Apr. 21, 2015.
- “You Don’t Own Me.” *Libertarianism.org*, Mar. 19, 2015.
- “The Unknown Roadblocks to The American Dream,” *The Blaze*, Feb. 19, 2015.
- “Montana’s Roadblocks to New Taxi Services,” *The Missoulian*, Feb. 13, 2015.
- “Do We Really Want A Passive Judiciary?” *Reason.com*, Feb. 10, 2015.
- “Reining in Antitrust Immunity,” *Regulation*, Fall, 2014.
- “Hobby Lobby Ruling Only Protects Religious Rights,” *Sacramento Bee*, July 3, 2014.
- “Hobby Lobby Case’s First Amendment Backing,” *Washington Times*, Mar. 21, 2014.
- “PPACA’s Corrupting Lawlessness,” *Regulation*, Winter 2013-14 (with Christina Sandefur).
- “Businesses Should Have The Right to Make Their Case,” *National Law Journal*, May 1, 2013.
- “Obamacare Faces New Legal Challenge: Its ‘Tax’ Still Violates The Constitution,” *Christian Science Monitor*, Apr. 30, 2013.
- “Returning to The True Spirit of The First Amendment,” *Regulation*, Spring, 2013.
- “Is The Obamacare Tax Constitutional?” *James Madison Institute Journal*, Spring, 2013.
- “Koontz Case to Protect Property Rights” *Washington Times*, Nov. 30, 2012 (with Ilya Shapiro).
- “Protecting The Right to Remain Silent in The Workplace,” *Regulation*, Winter, 2012.

“Challenge of Federal Rules is About More Than Price of Milk,” *Capital Press*, Nov. 22, 2012.

“For Obama Crowd, Judicial Activism Suddenly Isn’t Cool Anymore,” *Forbes.com*, Apr. 22, 2012.

“Obamacare Gives Congress License to Micromanage Every Facet of Our Lives,” *Christian Science Monitor* Mar. 27, 2012.

“Why Substantive Due Process Makes Sense,” *Cato Unbound*, Feb. 2012.

“Compliance—Or Else,” *Regulation*, Winter, 2012 (reprinted, *Irrigation Leader*, Jan. 2012).

“CON Job,” *Regulation*, Summer, 2011.

“Reagan’s Public Interest Law Legacy,” *The National Law Journal*, Feb. 14, 2011.

“List,” *Reason*, Feb. 2011.

“Virginia Health-Care Ruling A Tonic for The Spirit of Liberty,” *San Diego Daily Transcript*, Jan. 19, 2011 (with Luke Wake).

“Missouri’s Mover Monopoly,” *The Missouri Record*, Dec. 16, 2010.

“Comes A Horseman,” *National Review*, Sep. 20, 2010.

“State Targets Organic Fertilizer, Freedoms,” *North County Times* June 13, 2010.

“Get Rid of Vague Laws,” *Forbes.com*, March 30, 2010.

“14th Amendment Has 2nd’s Back,” *Fredericksburg (VA) Freelance-Star*, Feb. 26, 2010.

“Restore Privileges or Immunities,” *National Law Journal*, March 1, 2010.

“At The U.S. Supreme Court, Florida Property-Rights Case Carries National Implications,” *Tampa Tribune*, Dec. 2, 2009 (with Steven Geoffrey Geiseler).

“Four Problems with Spontaneous Order,” *Cato Unbound*, Dec. 2009.

“Property Rights—or Property Permissions?” *Liberty*, Nov. 2009.

“Setting Boundaries for Property Rights,” *The National Law Journal*, Aug. 31, 2009.

“What Obama Says to Iran Matters,” *Orange County Register*, June 30, 2009.

“How We Spend,” *Freedom Politics.com* Feb. 3, 2009.

“The Oregon Moving Cartel,” *The Oregonian*, Nov. 28, 2008.

“Eminent Domain: Nevada Serves up Lesson to Other States,” *Elko Daily Free Press*, Nov. 12, 2008.

“The Facts About Eminent Domain Reform,” *Victorville Daily Press*, May 16, 2008.

“State Abuses Eminent Domain Law,” *Springfield News Leader*, Apr. 7, 2008.

“You May Already Be A Winner!” *Sacramento Daily Recorder*, Feb. 15, 2008.

“California’s CO2 Blame Game vs. Automakers,” *Investor’s Business Daily*, Jan. 31, 2008.

“Property Owners Remain Vulnerable to Eminent Domain,” *St. Louis Business Journal*, Jan. 25, 2008.

“Property Rights Mean The Right to Say No,” *California Political Review*, Nov./Dec. 2007.

“A Little Rationality in ‘Rational Basis’ Please,” *California Political Review*, Sept./Oct. 2007.

“Birdbrained Rules,” *Legal Times*, Aug. 27, 2007.

“American Dream on A Spike,” *California Daily Recorder/Law.com*, Aug. 17, 2007.

“Save America.... Throw Away Raisins?” *Engage*, July 2007.

“The Court’s Two Ways of Being Wrong,” *Liberty*, June 2007.

“Happy Birthday, Nollan!” *San Francisco Daily Recorder*, May 18, 2007.

“Union Dues And Free Speech,” *Washington Times*, April 4, 2007.

“This Land is My Land,” *Legal Times*, Mar. 19, 2007 (with R.S. Radford).

“Private Property Rights Under Fire in Missouri,” *Kansas City Star*, Feb. 19, 2007 (with James S. Burling).

“Job No. 1 for Jerry Brown: Withdraw Lockyer’s Frivolous ‘Global Warming’ Lawsuit,” *San*

Francisco Chronicle, Feb. 15, 2007 (with M. David Stirling).

“The Great Property Rights Crack-Up,” *Liberty*, Feb. 2007.

“Take Property First, Ask Questions Later?” *Baltimore Examiner*, Jan. 23, 2007.

“The Great Property Rights Revival,” *National Review Online*, Nov. 27, 2006.

“Legislature, Governor Tinker with Eminent Domain” *Sacramento Bee*, Nov. 17, 2006.

“Liberal Compassion: Missing in Action?” *California Political Review*, Nov./Dec. 2006.

“Don’t Let Property Rights Get Trampled in Maryland,” *Baltimore Sun*, Sept. 6, 2006.

“Voters Can Act to ‘Save Our Homes’” *Orange County Register*, June 28, 2006.

“Eminent Domain Blinds Bureaucrats to Their Duty,” *Providence (R.I.) Journal*, Jun 18, 2006.

“Where’s Our Eminent Domain Reform?” *California Political Review*, May/June 2006.

“They’re Still Coming for Your Land,” *Liberty*, June, 2006.

“The Pain of Eminent Domain,” *Fort Worth Star Telegram*, May 28, 2006.

“Redevelop Eminent Domain,” *Sacramento Bee*, May 5, 2006.

“The *Kelo* Backlash,” *Whistleblower*, Apr. 2006.

“A Private Auction of Opportunities,” *Regulation*, Spring 2006.

“Backlash on Eminent Domain Has Weak Results,” *San Francisco Daily Journal*, Mar. 10, 2006

“The Rehnquist Legacy,” *Liberty*, Nov. 2005

“*Kelo*: Hope for Property Rights,” *Liberty*, Sept. 2005.

“Standing Up for The ‘Heathen Chinees,’” *Liberty*, Aug. 2005.

“Californians Not Safe From Eminent Domain,” *Pasadena Star News* and other papers, July 25, 2005

“Property Needs Safety from Seizure,” *Los Angeles Daily News*, July 19, 2005 (with Harold Johnson)

“They’re Coming To Take Your Land,” *Liberty*, March 2005.

“Eminent Domain Abuse,” *Washington Times* and other papers Feb. 20, 2005.

“This Land Is Not Your Land,” *National Review Online*, August 23, 2004

“Worth A 47 Mile Commute,” *Liberty*, April, 2004

“Let ‘Em Walk to The Clinic,” *Liberty*, Feb. 2004

“Poletown Condemnation Case Has Ruled Too Long in Michigan,” *Detroit Free Press*, Feb. 10, 2004

“Judging Janice Rogers Brown,” (with Harold Johnson) *Front Page Mag.com*, Nov. 8, 2003.

“Fair Game?” (with John Eastman), *Daily Journal*, Nov. 3, 2003

“In Defense of Plea Bargaining,” *Regulation*, Fall 2003, reprinted in *Taking Sides*, ed., Marie Natoli (McGraw-Hill, 2006).

“Showdown in The Desert,” *Liberty*, Sep./Oct. 2003.

“An Ill Wind from The East,” *Orange County Register*, July 16, 2003.

“Throwing out The Rules: The Nevada Supreme Court Tries Legislating,” *National Review Online*, July 14, 2003.

“Dismalism,” *Liberty*, May 2003.

“Freedom and The Wolves,” *Liberty*, Mar. 2003.

“The Indian Relics Law,” *California Political Review*, Dec. 6, 2002.

“Why Secession Was Wrong” *Liberty*, Dec. 2002.

“Burying The Truth: The Case of the Kennewick Man,” *Liberty*, Nov. 2002.

“Where Have All the Jobs Gone?” *California Political Review*, Oct. 2, 2002.

“Liberty and Union, Now and Forever,” *Liberty*, July, 2002.

“Rights Are A Seamless Web,” *26 Rutgers L. Rec.* 5 (April 23, 2002).

“The Obstacle Course of Eminent Domain,” *Ideas on Liberty*, Feb. 2002.

“Rewarding Criminals for Their Crimes,” *Liberty*, Sep. 2001.

“Property Rights,” *Orange County Register*, July 5, 2001.

“It’s ‘Stealing,’” *Orange County Register*, June 12, 2001.

“Remember Madison?” *Orange County Register*, Mar. 16, 2001.

“Poverty Forbidden,” *Orange County Register*, May 30, 2001.

“Creationism: It’s Not Just for Fundamentalists Anymore,” *Liberty*, Dec. 2000.

“Justice Brown’s Principled Jurisprudence,” *Orange County Register*, Dec. 10, 2000.

“The Book Banners” *Orange County Register*, Sept. 26, 2000.

“Reefer Madness” *Orange County Register* September 1, 2000.

“Elian Gonzalez and Dred Scott” *Liberty*, July, 2000.

“The Starship Private Enterprise” *Ideas on Liberty*, May 2000.

“Why We Should Allow The Sale of Body Parts” *Orange County Register*, Apr. 23, 2000.

“Count Down” *Orange County Register*, Apr. 6, 2000.

“Plunder Gets A Boost,” *Ideas on Liberty*, Feb. 2000.

“NASA Drags Its Heels on Privatization” *Orange County Register* Jan. 16, 2000.

“War On Wal-Mart,” *The Restoration*, Nov. 1999.

“Judicial Injustice.” *Orange County Register*, Nov. 10, 1999.

“Legislation Puts Wal-Mart In A Little Box.” *Orange County Register*, Oct. 31, 1999.

Interview with Nathaniel Branden, *The Restoration*, Oct. 1999.

“Anti-Jefferson, Left and Right.” *Liberty*, Oct. 1999.

“Frank Lloyd Wright’s Humanism.” *The Humanist*, May/June 1999.

“A Capitalist Commencement” *The Restoration*, May, 1998.

“John Stuart Mill On Liberty” *The Restoration*, May, 1998.

“John Locke: Father of Libertarianism” *The Restoration*, Apr. 1998.

“Delivering a Poor Education, and Delivering It Badly” *The Restoration*, Apr. 1998.

“Cloning and the Fear of Science” *The Restoration* Feb. 1998.

“Ayn Rand Defends the Independent Soul” *The Restoration* Feb. 1998.

“H.L. Mencken, the Libertarian Anti-Crusader” *The Restoration* Dec 97/Jan 98.

Interview with Bruce Herschensohn, *The Restoration* Dec 97/Jan 98.

“The Two Cultures, Still Estranged” *The Restoration* Dec 97/Jan 98.

“The Free Mind: A Paradise Lost” *The Restoration* Nov. 1997.

“Frederick Douglass and the Struggle for Freedom,” *The Restoration*, Nov. 1997.

“Why ‘Restoration’?” *The Restoration*, Oct. 1997.

“Conservative Attacks on Jefferson are Erroneous” *The Restoration*, Oct. 1997.

“Shierman’s Critics Too Sensitive” *The Collegian*, Feb. 1997.

“Your TV Rates Itself” *The Collegian*, Feb. 27, 1997.

“A Chopin Liszt for Saga” *The Collegian*, Feb. 20, 1997.

“Does Man Have The Right to Live for His Own Sake?” *The Breeze*, May 13, 1996.

“Minimum Wage Violates Free Market Principles” *The Breeze*, Apr. 29, 1996.

“Politics at the Precipice—Or Is It Just April Fool?” *The Breeze*, Apr. 1, 1996.

“Telecommunications Bill Unconstitutional” *The Breeze*, Mar. 11, 1996.

“Buchanan Upsets the Republican Status Quo” *The Breeze*, Feb. 26, 1996.

“Ayala’s Measure Just Another Foolish Law” *The Breeze*, Feb. 12, 1996.

“Several Reasons to be Counting His Blessings This Holiday Season” *The Breeze*, Dec.

4, 1995.

“Which Party Is Really Bent on Self-Destruction?” *The Breeze*, Nov. 20, 1995.

“Million Man March Displays Black’s Racism” *The Breeze*, Oct. 23, 1995.

“State of the Union: Same Speech, Same Thing.” *The Breeze*, Jan. 29, 1995.

“The War On Drugs: The New Opium War?” (with Joseph Miranda) *California Liberty* 1995.

Book Reviews:

“Losing Ground” (reviewing *The New Trail of Tears* by Naomi Schaefer Riley), *Claremont Review of Books*, Winter, 2016-17.

Book Review: *They Know Everything About You* by Robert Scheer, *San Francisco Daily Journal*, Oct. 16, 2015.

“Disputing The Dogma of Deference” (reviewing Clark M. Neily III, *Terms of Engagement*), 17 *Texas Review of Law & Politics* 121-150 (2014).

Book Review: *Rights at Risk* by David K. Shipler, *California Lawyer*, Dec. 2012.

Book Review: *Flagrant Conduct: The Story of Lawrence v. Texas* by Dale Carpenter, *California Lawyer*, June 2012.

Book Review: *The Rights of the People* by David K. Shipler, *California Lawyer*, Dec. 2011.

Book Review: *Constitutional Illusions and Anchoring Truths* by Hadley Arkes, *California Lawyer*, May, 2011.

Book Review: *Supreme Power* by Jeff Shesol, *California Lawyer*, Oct. 2010.

Book Review: *Crisis and Command* by John Yoo, *California Lawyer*, May 2010.

Book Review: *The Dirty Dozen* by Robert A. Levy and William Mellor, 31 *Reason Papers* 175-81 (2009).

“Clarence Thomas’ Jurisprudence Unexplained” (reviewing *The Supreme Court Opinions of Clarence Thomas* by Henry Mark Holzer”) 4 *New York University Journal of Law & Liberty* 535-56 (2009).

Book Review: *The Invisible Constitution* by Laurence Tribe, *California Lawyer*, April, 2009.

Book Review: *In Reckless Hands* by Victoria Nourse, *California Lawyer*, January, 2009.

Book Review: *Lincoln and The Court* by Brian McGinty, *California Lawyer*, December, 2008.

Book Review: *The Rise of the Conservative Legal Movement* by Steven Teles, *California Lawyer*, November, 2008.

“The Texas Land War” (reviewing *Bulldozed* by Carla Main), *Sacramento Daily Recorder*, Dec. 10, 2007.

Book Review: *David’s Hammer* by Clint Bolick, *Engage*, Oct. 2007.

“A Low, Dishonest Decade,” (reviewing *The Forgotten Man* by Amity Shlaes) *Liberty*, Sept. 2007.

“The Power to Make You See,” (reviewing *Joseph Conrad: A Life* by Zdzisław Najder) *Liberty*, Aug. 2007.

“Seeking the Promised Land,” (reviewing *At Canaan’s Edge* by Taylor Branch) *Liberty*, Oct., 2006.

“The Cylons’ Makeover,” (reviewing *Battlestar Galactica* by Jeffrey A. Carver and *The Cylons’ Secret* by Craig Shaw Gardner) *Liberty*, Aug., 2006.

“Of Mars and Mammoths” (reviewing *Mammoth* by John Varley, *The John Varley Reader* by John Varley, and *Red Lightning* by John Varley) *Liberty*, July, 2006.

Book Review: *Darwinian Conservatism* by Larry Arnhart, 26 *Rep. of the Nat. Ctr. for*

- Sci. Ed.* 40 (May-June 2006).
- “While San Francisco Burned,” (reviewing *The Great Earthquake and Firestorms of 1906: How San Francisco Nearly Destroyed Itself* by Philip Fradkin, *A Crack in the Edge of the World: America and the Great California Earthquake of 1906* by Simon Winchester, and *San Francisco Is Burning: The Untold Story of the 1906 Earthquake and Fires* by Dennis Smith) *Liberty*, Apr., 2006.
- “The Normality of Freedom” (reviewing *Restoring the Lost Constitution* by Randy E. Barnett), *The New Individualist*, Jan./Feb., 2005.
- “The Man Who Invented America” (reviewing *His Excellency, George Washington* by Joseph Ellis), *Liberty*, May, 2005.
- “Pained Twain” (reviewing *The Singular Mark Twain* by Fred Kaplan), *Liberty* Nov. 2004.
- “Curse of The Progressives” (reviewing *A Fierce Discontent* by Michael McGerr), *Liberty* Aug. 2004.
- “Slaughtering the 14th Amendment” (reviewing Ronald M. Labbé and Jonathan Lurie, *The Slaughterhouse Cases*), *Claremont Review of Books*, Summer 2004.
- “Keeping the Torch Lit” (reviewing Bruce Herschensohn, *Passport*), *Liberty*, Mar. 2004.
- “Libs in Space” (reviewing John Varley, *Red Thunder*) *Liberty*, Aug. 2003.
- “Choose Your Own Adventure” (reviewing Daniel Dennett, *Freedom Evolves*) *Liberty*, June 2003.
- “Art and Life Well Played” (reviewing Ira Nadel, *Tom Stoppard: A Life*) *Liberty*, Mar. 2003.
- “Judging The Court,” (reviewing James Swanson, ed., *The Cato Supreme Court Review*) *Liberty*, Jan. 2003.
- “Rediscovering Jacob Bronowski,” (reviewing Jacob Bronowski, *The Identity of Man*), *Liberty*, Dec. 2002.
- “Lincoln the Jeffersonian” (reviewing William Lee Miller, *Lincoln’s Virtues*) *Liberty*, Apr. 2002.
- “A Man to be Destroyed,” (reviewing Andrew Peyton Thomas, *Clarence Thomas*) *Liberty*, Feb. 2002.
- Review of William Klingaman, *Abraham Lincoln And The Road to Emancipation, 1861-1865*, *The American Enterprise*, Oct. 2001.
- “Atlas Plugged,” (reviewing *The World of Atlas Shrugged*) *Liberty*, Oct. 2001
- “Rights, Sociology and Equality” (reviewing James T. Patterson, *Brown v. Board of Education*) *Liberty*, Aug. 2001.
- “Mapmakers and Bookbreakers,” (reviewing Miles Harvey, *The Island of Lost Maps*) *Liberty*, July, 2001.
- “Jefferson Misunderstood” (reviewing E.M. Halliday, *Understanding Thomas Jefferson*) *Liberty*, June, 2001.
- “The Human Genome War” (reviewing Kevin Davies, *Cracking the Genome*) *Liberty*, April, 2001.
- “Crossing the Great Divide” (reviewing Stephen Ambrose, *Nothing Like It in The World*) *Liberty*, March, 2001.
- “Why Conservatives Oppose Progress” (reviewing Dinesh D’Souza, *The Virtue of Prosperity*) *Liberty*, March, 2001.
- “Understanding the Vietnam War” (reviewing A.J. Langguth, *Our Vietnam*) *Liberty*, Feb. 2001.

“Jefferson, Lincoln and Bork,” (reviewing Harry Jaffa, *A New Birth of Freedom*) *Liberty*, Jan. 2001.

“Evolution Old and New” (reviewing Robert T. Pennock, *Tower of Babel: The Evidence against The New Creationism* and Niles Eldridge, *The Triumph of Evolution and the Failure of Creationism*) *Laissez Faire City Times*, Nov. 20, 2000.

“Liberty, Property and Mr. Madison,” (reviewing Gary Rosen, *American Compact*), *Liberty*, Aug. 2000.

Other:

“The Creator: Male and Female” (movie review) *38 Reason Papers* 190-95 (2016)

“Romantic Realism and Moral Value: Spielberg’s *Lincoln* and Hooper’s *Les Miserables*” (movie review), *35 Reason Papers* 160-67 (2013).

A reply to Gus diZerega, (*15 Independent Review* 305) Fall, 2010.

Letter to the editor, *Green Bag* (12 *Green Bag* 2d 250-51) Spring, 2009.

Letter to the editor, *Regulation*, Fall, 2008.

Letter to the editor, *Green Bag* (11 *Green Bag* 2d 284-85) Summer, 2008.

Letter to the editor, *Claremont Review of Books*, Fall 2005.

Letter to the editor, *Pest Control*, Jan. 2005.

Letter to the editor, *Green Bag* (8 *Green Bag* 2d 7-15) Autumn, 2004.

Letter to the editor, *Green Bag* (7 *Green Bag* 2d 371-72) Summer, 2004.

Letter to the editor, *Sacramento Bee*, October 5, 2002.

Letter to the editor, *ABA Journal*, (87 *A.B.A.J.* 10) July, 2001.

“Jefferson’s 200th Anniversary,” *Laissez Faire City Times*, Jan. 29, 2001.

“Sir Edward Coke and the Common Law” *Laissez-Faire City Times*, Sep. 25, 2000.

“Education and the Right to Read,” *Laissez-Faire City Times*, Aug 28, 2000.

“James Madison,” *The Daily Objectivist*, Aug. 1, 2000.

“Clarence Thomas,” *The Daily Objectivist*, July 31, 2000.

“Dr. Williams, or How I Stopped Seceding and Learned to Love the North,” *Laissez-Faire City Times* May 29, 2000.

“The Death of Libertarian Outrage” *Laissez-Faire City Times*, May 15, 2000.

“John Milton,” *The Daily Objectivist*, Apr. 3, 2000.

“Jacob Bronowski,” *The Daily Objectivist*, Feb. 27, 2000.

Letter to the editor, *The Humanist*, July/Aug 1999.

Letter to the editor, *Reason*, Nov. 1997.