



June 23, 2026

Senator Chuck Grassley
Chair, Senate Judiciary Committee

Senator Dick Durbin
Ranking Member, Senate Judiciary Committee

Dear Senator Grassley and Senator Durbin:

On behalf of our hundreds of thousands of supporters and activists nationwide, People For the American Way opposes the elevation of Judge Daniel Domenico to the U.S. Court of Appeals for the Tenth Circuit.

As explained in more detail in the second half of this letter, we do not support confirming any judicial nominees of Donald Trump. He is dangerously unqualified to be making lifetime appointments to the one branch of government that is in a position to provide checks and balances to his lawless actions.

But first, this letter focuses on one of those nominees: Daniel Domenico.

Daniel Domenico

As a federal district court judge in Colorado, Domenico has been sympathetic to abuse of government power by the Trump administration directed against individuals.

Gurmeet Singh is one such individual. He was born in India and came to America without documentation in 2024. He was arrested near the border soon after entering the country, and the Department of Homeland Security began the official process that could lead to his removal. However, the government did not consider him for expedited removal because he had expressed a fear of persecution if forced to return to India. Under federal law, the removal process could not proceed until he was interviewed by an asylum official, and Singh was released.

As with so many other immigrants, things changed for the worse for Singh with a new administration in 2025. Immigration officials arrested him in November 2025. They held him without bond as an “alien seeking admission” and therefore purportedly ineligible for release under bond under a 1996 federal immigration statute.

Of course, someone already living in the United States is not “seeking admission.” It was only during the second Trump administration’s violent assault against longtime immigrants – an assault that has families in our communities living in terror, afraid to set foot outside out of

fear of being violently assaulted by masked agents and taken to detention facilities far from their homes – that the federal government adopted this redefinition of the 1996 law.

The majority of judges around the country have rejected this effort to rewrite the law. Until Singh's case, none of the 15 serving federal judges in Colorado had done so. Unfortunately for Singh, his case came before the one Trump-nominated district judge in Colorado. And as Donald Trump requested, Domenico reinterpreted the immigration statute to give Trump the power to imprison immigrants already living in the country without bond. Domenico acknowledged that no other federal judge in Colorado had interpreted the law that way.ⁱ

Other immigrants being held without bond under the same provision have met the same fate in Domenico's courtroom. They include Angel Valle-Rodriguez, who came to the United States in 2001 at the age of nine. His wife and children are all U.S. citizens. In 2025, he was arrested for driving under the influence and released on bond, and that matter remains pending. But the law enforcement officials reported him to ICE, which arrested him. He turned to the federal courts to vindicate his long-recognized right to a bond hearing. But his case was assigned to Judge Domenico, who ruled against him based on the same strained statutory interpretation.ⁱⁱ

This also happened to Loveseet Singh, an Indian who has lived in the U.S. since 2023. He has been seeking asylum and is lawfully employed as a commercial truck driver. Earlier this year, he was in a traffic accident and contacted local law enforcement for help. But they reported him to federal immigration authorities, who arrested him and have been holding him ever since. He sued to have a bond hearing, but his case was assigned to Judge Domenico, who ruled that Singh is an alien "seeking admission" to the United States and can therefore be held without bond.ⁱⁱⁱ

In addition to immigrant communities, the second Trump administration has also targeted LGBTQ+ people for mistreatment. This group, too, has not fared well in Judge Domenico's courtroom, who has gone so far as to order the state to financially support discrimination.

This occurred when Colorado set up a program to provide universal preschool throughout the state. As a condition of receiving state funding, participating preschools must agree not to discriminate on the basis of "gender, race, ethnicity, religion, national origin, age, sexual orientation, gender identity, citizenship status, education, disability, socio-economic status, or any other identity."

A private school called Darren Patterson Christian Academy has a religiously-based opposition LGBTQ+ equality. Its employment practices and treatment of students would not meet the state's funding conditions. But the school chose to participate in the preschool program anyway and accepted the state funds. It then went to court and claimed that the possible enforcement of the antidiscrimination requirements violated its First Amendment free exercise and free speech rights. Judge Domenico agreed and ordered the state to

exempt the school from the antidiscrimination provisions protecting LGBTQ+ people. As a result of his ruling, which transformed religious liberty from a shield into a sword, the state is forced to fund discrimination.^{iv}

Through his misconception of religious liberty, Domenico has also forced the state to allow medical procedures that it deems unsafe. As part of its regulation of medical practices to ensure safety, Colorado deemed it “unprofessional conduct” to prescribe progesterone in an effort to “reverse” a medication abortion. The American College of Obstetricians and Gynecologists has stated that “claims regarding abortion ‘reversal’ treatment are not based on science and do not meet clinical standards.” The medical organization calls the procedure “unproven and unethical.”^v

Bella Health & Wellness, operator of an anti-abortion center, sued the state. It claimed a religious obligation to prescribe progesterone to women seeking to reverse a medication abortion. Domenico ruled for the facility. Since the state allows other off-label uses of progesterone, he claimed that “religious practice has been singled out for differential treatment.” He ruled that the law was subject to – and failed to satisfy – strict scrutiny.^{vi}

While cases like these make headlines, people’s ability to make ends meet are often profoundly affected by cases that few people have ever heard of. *Catalano v. Allstate*, which involved the denial of insurance coverage to a homeowner, is an example. Michael Catalano’s tenant reported that the floor was starting to buckle and flex, leading to the discovery of damage to both the floor and the foundation. Catalano filed a claim, which Allstate denied, so Catalano sued the insurance company.

Domenico ruled for Allstate, based on a strained reading of the word “sudden” in the policy, which covered “sudden” damage to the house. Although the tenant reported that the floor was fine one day and bent the next, Domenico ruled that the damage wasn’t “sudden.” Experts had suggested that the cause of the damage was either weeks of intense drilling in the street outside the house, or normal wear and tear. Either way, according to Domenico, the damage could not be considered “sudden.”^{vii}

He was reversed by a unanimous panel of the Tenth Circuit, which relied on common usage of the word “sudden.” They pointed out that since street work doesn’t usually damage nearby homes, the homeowner and tenant could easily describe the floor damage as having happened “suddenly.” The panel ruled that Domenico was wrong to prevent a jury trial and rule summarily for the insurance company.^{viii}

The Senate Should Not Confirm Judicial Nominees of a President Who Defies the Courts and Expects Absolute Loyalty From His Nominees

The federal courts are essential to providing the checks and balances needed to prevent tyranny. At present, they are the only branch of the federal government carrying out this essential function.

President Trump does not share that vision of the courts. He expects the judges he nominates to show him personal loyalty and always rule in his favor.

This has been clear for a long time. However, on May 10, Trump himself made it impossible to pretend otherwise. In a Truth Social post, he wrote this about Supreme Court justices:

[I]t's really OK for them to be loyal to the person that appointed them to 'almost' the highest position in the land, that is, a Justice of the United States Supreme Court.^{ix}

In March, he condemned the Court for striking down his tariffs even though he supported them:

The Court knew where I stood, how badly I wanted this Victory for our Country, and instead decided to, potentially, give away Trillions of Dollars to Countries and Companies who have been taking advantage of the United States for decades.^x

He then went on to condemn the independence of justices who have ruled against him:

They openly disrespect the Presidents who nominate them to the highest position in the Land, a Justice of the United States Supreme Court, and go out of their way, with bad and wrongful rulings and intentions, to prove how "honest," "independent," and "legitimate" they are.^{xi}

No president who is looking for unfettered loyalty from his judicial nominations can be allowed to put more judges on the bench at any level.

This development does not come out of the blue. Soon after returning to office, Trump began defying court orders and threatening judges who rule against him. In a May 30, 2025, letter to the Judiciary Committee, we explained that a president who does this should not be allowed to name anyone to the one branch of the federal government that is checking his power.^{xii}

Events since then have only strengthened our case. For instance, an extensively-documented whistleblower complaint revealed that senior Justice Department official Emil Bove suggested in March that the administration violate court orders.^{xiii} President Trump subsequently nominated Bove to a seat on the Third Circuit, to which he was confirmed. The administration now routinely defies the courts. In fact, a July study revealed that the Trump administration had defied one in three judges who had ruled against him.^{xiv}

Nationwide concern over the Trump administration's deceptive filings and court defiance continues to grow. The administration even risks losing the "presumption of regularity," in which judges presume that the federal government and its lawyers are telling the truth and acting in good faith.^{xv} Indeed, an October 2025 report revealed dozens of instances of judges expressing distrust in the government's representations, as well as growing concerns within the federal bench about noncompliance with judicial orders.^{xvi}

And in November 2025, a sitting federal judge nominated by President Reagan resigned from his lifetime position in order to speak frankly and in depth about Trump's threat to the rule of law. Mark L. Wolf wrote:

I no longer can bear to be restrained by what judges can say publicly or do outside the courtroom. President Donald Trump is using the law for partisan purposes, targeting his adversaries while sparing his friends and donors from investigation, prosecution, and possible punishment. This is contrary to everything that I have stood for in my more than 50 years in the Department of Justice and on the bench. The White House's assault on the rule of law is so deeply disturbing to me that I feel compelled to speak out. Silence, for me, is now intolerable.^{xvii}

Later that same month, President Trump even called for the execution of members of Congress for stating the undisputed legal fact that members of the military may not follow unlawful orders.^{xviii}

In January 2026 alone, the Trump administration violated nearly 100 court orders relating to ICE's reign of terror in the Minneapolis area that led to brutal killings of American citizens Alex Pretti and Renee Good. These orders were issued to protect the people of Minnesota from unlawful abuses of power by ICE. On January 28, Chief Judge Patrick Schiltz released a list of those violated orders.^{xix} He wrote:

[It] identifies 96 court orders that ICE has violated in 74 cases. The extent of ICE's noncompliance is almost certainly substantially understated. This list is confined to orders issued since January 1, 2026, and the list was hurriedly compiled by extraordinarily busy judges. Undoubtedly, mistakes were made, and orders that should have appeared on this list were omitted.

This list should give pause to anyone—no matter his or her political beliefs—who cares about the rule of law.^{xx}

At least 35 times between August 2025 and February 2026, federal district court or magistrate judges in California, Texas, Florida, Massachusetts, Michigan, New York, West Virginia and Puerto Rico ordered the administration to explain why it should not be punished for violating court orders.^{xxi}

This is a unique moment of crisis for our nation. Fortunately, the framers of our Constitution anticipated a moment such as this. Through the confirmation process, they gave the Senate the power and the responsibility to prevent a president such as this from sabotaging the independence of our courts.

The Senate should not confirm any judicial nominee of President Trump's at any level.

Sincerely,



Marge Baker
Executive Vice President

ⁱ *Singh v. Blanche*, civil action no. 1:26-cv-00421-DDD-KAS, 2026 U.S. Dist. LEXIS 135395, 2026 LX 328922 (April 15, 2026).

ⁱⁱ *Valle-Rodriguez v. Hagan*, civil action no. 1:26-cv-00609-DDD-CYC (April 22, 2026).

ⁱⁱⁱ *Singh v. Baltazar*, civil action no. 1:26-cv-01076-DDD-TPO (May 11, 2026).

^{iv} *Darren Patterson Christian Academy v. Roy*, 699 F. Supp. 3d 1163 (2023), 765 F. Supp. 3d 1194 (2025).

^v "Facts Are Important: Medication Abortion 'Reversal' Is Not Supported by Science," The American College of Obstetricians and Gynecologists, <https://www.acog.org/advocacy/facts-are-important/medication-abortion-reversal-is-not-supported-by-science>.

^{vi} *Bella Health & Wellness v. Weiser*, 793 F. Supp. 3d 1320 (2025).

^{vii} *Catalano v. Allstate*, 2024 U.S. Dist. LEXIS 49582.

^{viii} *Catalano v. Allstate*, 2025 U.S. App. LEXIS 9105.

^{ix} <https://truthsocial.com/@realDonaldTrump/posts/116552659719497289>.

^x <https://truthsocial.com/@realDonaldTrump/posts/116236850873003597>.

^{xi} *Id.*

^{xii} https://www.peoplefor.org/sites/default/files/downloads/2025-06/Hermendorfer_and_4_MO_noms-opposition_letter.pdf.

^{xiii} "Justice Dept. Leader Suggested Violating Court Orders, Whistle-Blower Says," New York Times, June 24, 2025, <https://www.nytimes.com/2025/06/24/us/politics/justice-department-emil-bove-trump-deportations-reuveni.html>.

^{xiv} "Trump officials accused of defying 1 in 3 judges who ruled against him," Washington Post, July 21, 2025, <https://www.washingtonpost.com/politics/2025/07/21/trump-court-orders-defy-noncompliance-marshals-judges>.

^{xv} See, e.g., David French, "How a Trump Judge Exposed the Trump Con," New York Times, Oct. 12, 2025, <https://www.nytimes.com/2025/10/12/opinion/trump-judge-immegaut-portland-national->

[guard.html](#); “Judges Openly Doubt Government as Justice Dept. Misleads and Dodges Orders,” New York Times, Aug. 4, 2025, <https://www.nytimes.com/2025/08/04/us/politics/trump-justice-department-judges-courts.html>.

^{xvi} “‘The ‘Presumption of Regularity’ in Trump Administration Litigation,” Just Security, updated Oct. 15, 2025, <https://www.justsecurity.org/120547/presumption-regularity-trump-administration-litigation>.

^{xvii} “Why I Am Resigning,” Judge Mark L. Wolf, The Atlantic, Nov. 9, 2025, <https://www.theatlantic.com/ideas/2025/11/federal-judge-resignation-trump/684845>.

^{xviii} “Trump says Democrats’ message to military is ‘seditious behavior’ punishable by death,” Associated Press, Nov. 20, 2025, <https://apnews.com/article/trump-military-traitors-sedition-illegal-orders-c5fc3c5bd2fbc6b1204550e4203c24b2>.

^{xix} “‘ICE is not a law unto itself,’ Minnesota judge says after immigrant released following contempt threat,” CNBC, Jan. 28, 2026, <https://www.cnbc.com/2026/01/28/ice-immigrant-minnesota-contempt-released.html>.

^{xx} Juan v. Noem, Case No. 26-CV-0107 (PJS/DLM), order of Jan. 28, 2026, https://storage.courtlistener.com/recap/gov.uscourts.mnd.230171/gov.uscourts.mnd.230171.10.0_2.pdf.

^{xxi} “Judges Grow Angry Over Trump Administration Violating Their Orders,” New York Times, Feb. 23, 2026, <https://www.nytimes.com/2026/02/23/us/politics/judges-contempt-immigration-trump.html>.