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March 24, 2010

VIA FEDERAL EXPRESS

Molly Dwyer, Clerk of Court
United States Court of Appeals for the Ninth Circuit
95 Seventh Street
San Francisco, California 94103-1526

R E C E I V E D
MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MAR 25 2010

FILED _____
DOCKETED _____ DATE _____ INITIAL _____

RE: *Kirk v. Carpeneti*, No. 09-35860¹

To the Honorable Chief Judge and Circuit Judges:

On March 5th, 2010, the American Judicature Society filed an *amicus* brief in support of Appellees with the consent of all of the parties. Pursuant to the Ninth Circuit Advisory Committee Note to Ninth Circuit Rule 29-1, Justice For All hereby joins in the arguments and factual statements made by the American Judicature Society and by the Brennan Center for Justice in the above-referenced action.

Justice For All is an IRS 501(c)(3) organization based in Arizona and dedicated to the preservation of the merit selection of judges and an independent judiciary. The issues raised in the matter referred to above are of specific interest to Justice For All which is, therefore, pleased to join in the arguments and factual statements contained in the *amicus* briefs filed by the American Judicature Society and by the Brennan Center for Justice.

As argued by the American Judicature Society, merit-based selection of judges is a well-recognized and effective method of choosing qualified, nonpartisan judges. Moreover, striking down the Alaska system would directly affect the selection process in fourteen other states and the District of Columbia as well as indirectly affect the process in eighteen other states. Justice For All urges this Court to uphold the dismissal of this action.

Respectfully submitted,

Mark I. Harrison, President
Justice For All

cc: All counsel

¹ On March 24, 2010, Justice For All attempted to electronically file this letter with the ECF filing system. Because there was no "Correspondence" option for *amici*, the Head of Procedural Motions advised Justice For All to file this letter by hard copy.