



For Immediate Release

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With Lunch Served, Senator Toomey Can Now Move Nomination of Restrepo For 3rd Circuit Vacancy

PENNSYLVANIA – More than a full year since the nomination of Judge L. Felipe Restrepo to the Third Circuit Court of Appeals, the Why Courts Matter PA coalition this week delivered lunch to all seven of Senator Pat Toomey’s district offices – a reference to Senator Toomey’s flippant comments to a reporter as explained in a recent floor statement by Senator Harry Reid:

“After the media started asking questions about the delay [of Judge Restrepo’s nomination], the junior Senator from Pennsylvania told the Huffington Post, ‘No, I’m not blocking him. But I’ve got to run for this lunch.’ The junior Senator from Pennsylvania couldn’t wait for his lunch, but he’s made the millions of Americans wait for a judge they desperately need.”

[SEE VIDEO OF THE LUNCH DELIVERY HERE.](#)

The Why Courts Matter PA coalition has repeatedly called for Senator Pat Toomey to demand GOP Senate leadership hold a full confirmation vote for Pennsylvania Judge Luis Felipe Restrepo to fill the critical vacancy on the Third Circuit Court of Appeals.

In the fall of 2014, Senators Toomey and Casey [enthusiastically supported the White House’s nomination](#) of Federal District Court Judge Restrepo to an open seat on the Third Circuit. Senator Toomey went out of his way to publicly praise Judge Restrepo during numerous conversations with reporters. However, one year later, the immensely qualified Restrepo is still awaiting a full vote in the Senate.

Just today, it was announced that Judge Restrepo had been skipped over for his full Senate floor vote – the Senate will instead inexplicably be voting on a nominee who was voted out of committee after Restrepo.

[CLICK HERE FOR A VIDEO BREAKING DOWN JUDGE RESTREPO'S SITUATION.](#)

“Now that we have taken care of lunch, Senator Toomey can get back to the business of filling critical federal court vacancies here in Pennsylvania, starting with the languishing nomination of Judge Restrepo,” said Christine Stone, co-chair of the Why Courts Matter – PA coalition.

“The time is now to fill this vacancy. The seat Judge Restrepo would fill has been open for almost 900 days and has been declared a judicial emergency. If Senator Toomey wants to be able to tell his constituents that he is doing his job in D.C., he should seek a firm commitment from his Republican leadership to schedule a vote right away,” continued Stone.

While Senator Toomey has recently turned in blue slips to move along the nomination process for four district court nominees in Pennsylvania, Judge Restrepo’s nomination to a higher Court continues to languish solely because of Republican obstruction. If the process is not completed by the end of the year – for the district court nominees or for Judge Restrepo – it is likely that the White House will have to re-submit their nominations and begin the process all over again in January.

Some other key aspects of the prolonged nomination process for Judge Restrepo:

- Judge Restrepo is nominated to fill an emergency vacancy on the U.S. Court of Appeals for the Third Circuit. A judicial emergency is a vacancy leaving excessive numbers of filings per judgeship, and putting current judicial work in crisis.
- Judge Restrepo would fill one of two vacancies on the 3rd Circuit Court of Appeals. Pennsylvania currently has 6 vacancies on its Federal Courts including 3 on the Western District Court and 1 on the Eastern District Court, and another at the District Court level to come if Judge Restrepo is confirmed.
- If confirmed, Judge Restrepo would be the first Hispanic judge from Pennsylvania to ever serve on this appellate court and only the second Hispanic judge to serve on the Third Circuit.
- Restrepo had bipartisan support in the Senate Judiciary Committee throughout the process, and was voted out of the Judiciary Committee unanimously by voice vote.
- He was unanimously confirmed two years ago by the Senate to serve as a federal district court judge.
- Restrepo would expand professional diversity on the Third Circuit, becoming the first judge on that court to have experience as a public defender.

Dozens of Pennsylvania and national media outlets have covered the Restrepo nomination throughout the process, including a number of PA editorial boards demanding Senator Toomey step up and move the nomination process forward. [Click here for a list of these stories written over the past year.](#)

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Why Courts Matter PA is a coalition of organizations and advocates who have come together to ensure that our federal courts work to the benefit of all Americans in keeping with the core constitutional values of liberty, equality and justice for all. WCM-PA supports an appointment and confirmation process that identifies and provides timely confirmation votes for well-qualified nominees for federal judgeships who are dedicated to fairness and impartiality. Learn more about WCM-PA [here](#).