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EMPLOYMENT

University of Mississippi School of Law

Associate Professor of Law, 2012-present

H.L.A. Scholar in Law and Philosophy, 2013-present

Affiliated Faculty, Department of Philosophy and Religion

Assistant Professor of Law, 2006-2012

University of San Diego School of Law

Visiting Professor of Law, 2012-2013

Affiliated Scholar, Center for the Study of Constitutional Originalism, 2015-present

Princeton University

James Madison Program, Ann and Herbert W. Vaughan Visiting Fellow, Fall 2015

Teach and research in constitutional law, constitutional theory, criminal law, administrative law, torts, property, real estate, agency, and commercial law

BOOK PUBLICATIONS

1. FEDERAL CONSTITUTIONAL LAW, 2nd ed., 6 vols. (2017, Carolina Academic) (with Scott Gaylord & Lee Strang).
2. EQUAL CITIZENSHIP, CIVIL RIGHTS, AND THE CONSTITUTION: THE ORIGINAL SENSE OF THE PRIVILEGES OR IMMUNITIES CLAUSE (2015, Routledge Press).

ARTICLE PUBLICATIONS

1. *Loyal Denominatorism and the Fourteenth Amendment: Normative Defense and Implications*, DUKE J. CONST. L. & PUB. POL'Y (forthcoming 2017), available at <https://ssrn.com/abstract=2901153>.
2. *Duly Convicted: The Thirteenth Amendment as Procedural Due Process*, 15 GEO. J. L. & PUB. POL'Y 73 (2017).
3. *Clarity and Reasonable Doubt in Early State-Constitutional Judicial Review*, 57 S. TEX. L. REV. 169 (2015).
4. *Incorporation, Total Incorporation, and Nothing But Incorporation?*, 24 WM. & MARY BILL RTS. J. 93 (2015).
5. Review of DUFF ET AL., EDS., THE STRUCTURES OF THE CRIMINAL LAW, 12 J. MORAL PHIL. 108 (2015).

6. *Reverse Broken Windows*, 65 J. LEG. EDUC. 265 (2015).
7. *Constitutional Theory and the Activismometer: How to Think About Indeterminacy, Restraint, Vagueness, Executive Review, and Precedent*, 54 SANTA CLARA L. REV. 403 (2014).
8. *A Textual Analysis of the Possible Impact of Measure 26 on the Mississippi Bill of Rights*, 81 SUPRA: MISS. L.J. ONLINE 39 (2011).
9. *Substantive Due Process After McDonald v. Chicago*, 80 SUPRA: MISS. L.J. ONLINE 49 (2010).
10. *Some Themes From Judge Rhessa H. Barksdale's Published Opinions*, 79 MISS. L.J. 261 (2010).
11. *McDonald v. Chicago, the Meaning-Application Distinction, and 'Of in the Privileges or Immunities Clause*, ENGAGE, Mar. 2010, at 26.
12. *"This Constitution": Constitutional Indexicals as a Basis for Textualist Semi-Originalism*, 84 NOTRE DAME L. REV. 1607 (2009).
13. *The Original Sense of the (Equal) Protection Clause: Subsequent Interpretation and Application*, 19 GEO. MASON U. CIV. RTS. L.J. 219 (2009). Cited in *McDonald v. Chicago*, 561 U.S. 742, 859 n.2 (2010) (Stevens, J., dissenting).
14. *The Original Sense of the (Equal) Protection Clause: Pre-Enactment History*, 19 GEO. MASON U. CIV. RTS. L.J. 1 (2008).
15. *Punishing Corporations: The Food-Chain Schizophrenia in Punitive Damages and Criminal Law*, 87 NEB. L. REV. 197 (2008). Reprinted in 58 DEF. COUNS. J. 135 (2009).
16. *The Epistemology of Testimony*. Internet Encyclopedia of Philosophy, available at <http://www.iep.utm.edu/ep-testi/> (October 2008).
17. *The Food-Chain Issue for Corporate Punishment: What Criminal Law and Punitive Damages Can Learn from Each Other*, ENGAGE, Feb. 2008, at 40. Reprinted in PUNITIVE DAMAGES: NEW DIMENSIONS (M. N. Bhavani ed., 2008).
18. *Suing One's Sense Faculties for Fraud: "Justifiable Reliance" in the Law as a Clue to Epistemic Justification*, 36 PHIL. PAPERS 49 (2007).
19. *Originalism and the Sense-Reference Distinction*, 50 ST. LOUIS U.L.J. 555 (2006).

WORKS IN PROGRESS AND RECENT PRESENTATIONS

20. *Constitutional Truthmakers*. Available at <https://ssrn.com/abstract=2901157>. Presented at Southeast Association of Law Schools, August 2016; University of Arkansas, Fayetteville, February 2017.
21. *Loyal Denominatorism and the Fourteenth Amendment: Contemporary Debate and Reconstruction History*. Presented at the Darling Foundation Originalism Works-in-Progress Conference, University of San Diego, February 2014; University of Mississippi, January 2014. Available at <http://ssrn.com/paper=2317471>.
22. *Theseus, Incorporated: Philosophy of Mind, Material Constitution, and the Ontology of the Criminal Law*. Presented at Central Division of American Philosophical Association, February 2012; University of San Diego, January 2013; University of Missouri, April 2016. Available at <http://ssrn.com/paper=1949507>.
23. *The Constitutionality of Damage Caps: A Tricky Question*. Presented at University of Mississippi, October 2013.
24. *The Privileges or Immunities Clause and Implications of Epistemic Inferiority*. Presented at Southeast Association of Law Schools, August 2013.
25. *Mississippi Measure 26: A Case of Text/Paradigm Case Mismatch*. Presented at Law and Society Association, June 2012.
26. Comments on Epps, *Narrative Originalism and the Civil Rights Act of 1866: A Speculative Essay*. Presented at Darling Foundation Originalism Works-in-Progress Conference, University of San Diego, February 2012.
27. *The Article VI Oath and Recent Nomination Hearings*. Presented at Southeast Association of Law Schools, July 2011.
28. *Twelve Purported Distinctions Between the Epistemologies of Testimony and Perception*. Presented at University of Mississippi Department of Philosophy and Religion, February 2008; Aristotelian Society and Mind Association, July 2010.
29. *Loyal Denominatorism and the Fourteenth Amendment: Regional Skew of Rights in 1867 and 1868*.
30. *Our Take-It-Or-Leave-It Constitution*.
31. *The Fourteenth Amendment and the American Story*.
32. *Natural-Born Governors*.
33. *Our Bipartisan Due Process Clause*.
34. *Clarity and Section Five*.
35. *From Law of the Land to Due Process*.
36. *Tradition and Due Process*.
37. *Constitutional and Statutory Problems with the National Popular Vote Interstate Compact*.

EDUCATION

Yale Law School

J.D., 1998

Senior Editor, Yale Law Journal

University of Notre Dame

Ph.D., Philosophy, 2006, M.A., 2003

Dissertation: THE EPISTEMIC PARITY OF TESTIMONY, MEMORY, AND PERCEPTION

Princeton University

A.B., Politics, *summa cum laude*, 1994

Lyman H. Atwater Prize in Politics (highest academic standing in Politics Department)

John G. Buchanan Prize in Politics (outstanding senior thesis in Politics Department)

Phi Beta Kappa

PRIOR EMPLOYMENT

U.S. Court of Appeals for the Fifth Circuit

Law Clerk for the Honorable Rhesa H. Barksdale, Jackson, Mississippi, 1998-1999

Phelps Dunbar, LLP

Associate, General Litigation group, Jackson, Mississippi, specializing in appellate litigation, 1999-2001