
MICHAEL HARWIN

ATTORNEY AT LAW

RESUMÉ

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EDUCATION

- 1994 J.D., *summa cum laude*, University of Arizona College of Law. Rank: 8/155; G.P.A. 3.67.
- 1990 Master of Fine Arts (M.F.A.), Creative Writing, University of Arizona.
- 1984 B.A. *magna cum laude* (G.P.A. 3.63), State University of New York, College at Potsdam. Major: English.

AWARDS & HONORS

- 2015-16 Selected by *U.S. News & World Report: America's Best Law Firms® (2016 ed.): White Collar Criminal Defense.*
- 2015-16 Selected by *Best Lawyers in America® 21st ed.: Criminal Defense: White Collar.*
- 2015 Listed in *Tucson Lifestyle Magazine* (June 2015) as one of "Tucson's Top Lawyers®": *White Collar Crime and Criminal Defense.*
- 2014-16 Author, (individual chapters in) *Defense Strategies for Drug Crimes, 2016 ed. (Thomsen Reuters /Aspatore Imprint); The Legality of Search and Seizure in DUI*

Cases, 2015 ed. (Thomson Reuters/Aspatore); Trends in DUI Discovery, 2014, ed. (A Thomson Reuters/Aspatore).

2006-16 AV® rated, *Martindale-Hubbell* (5/5 Pre-eminent)[martindale.com].

1994 *Order of the Coif.*

1993 Note Editor, *Arizona Law Review.*

1993 Author, *Detaining for Danger under the Bail Reform Act of 1984: Paradoxes of Procedure and Proof*, 35 Ariz. L. Rev. 4 (Winter 1993).

1993 *Snell and Wilmer Award* for Best Note Published in *Arizona Law Review*, 1993-1994.

1991-93 *American Jurisprudence Awards* (top grades in selected classes):

Corporations (Fall 1993)

Constitutional Law (Fall 1992)

Civil Procedure (Fall 1991).

EXPERIENCE

2000-2001 ASSISTANT ADJUNCT PROFESSOR OF LAW, University of Arizona College of Law. Substantive graded courses, Legal Analysis & Reasoning (original syllabus).

1998- MICHAEL AARON HARWIN, P.C., 239 N. Church Avenue, Tucson.

- Present Litigation practice.
- 1995-97 ASSISTANT CITY PROSECUTOR, City of Phoenix.
Trial Bureau assignment.
- 1993-94 MENDELSON, OSERAN, MANCE & EISNER, P.C., Tucson, Arizona.
Associate, beginning September 1994 (commercial real estate transactions &
litigation; commercial bankruptcy and RTC/FDIC related litigation).
- 1991 PIMA COMMUNITY COLLEGE, Tucson.
Associate Faculty in Writing.
- 1987-90 UNIVERSITY OF ARIZONA, Tucson.
Graduate Assistant in Teaching, Department of English; 14 sections, English 101-
02 & 210 undergraduate writing courses.

COMMUNITY SERVICE

- 2003-04 Delegate Selection Chair, Presidential Election, Pima County Democratic Party.
- 1994 Board of Directors, Lawyers Against Hunger, Tucson, Arizona.
Organization raises funds for the Tucson Community Food Bank.
- 1992 Participant, Southern Arizona Civil Rights Coalition, Tucson,
Arizona.
- 1991 Staff, Casa De Los Ninos, Tucson, Arizona.

Served as direct care provider in crisis shelter for children.

- 1985-91 Firefighter, U.S.D.A. Forest Service, Kamiah, Idaho; National Park Service, Sequoia-Kings Canyon National Parks, Three Rivers, CA.
- 1981-82 Wilderness Ranger, New York State Department of Environmental Conservation, Ray Brook, N.Y (Region 5, Pharaoh Lake Wilderness Complex).

ADMISSIONS

Arizona, Colorado, Western District of Texas, 5th and 9th Circuits; United States Tax Court.

PRACTICE: AGENCY & TRIBUNAL

- 2000-15 Appearances before or litigation involving following federal and state agencies/divisions/administrative tribunals; IRS Criminal Investigation Division (Tucson); IRS Civil Division (Phoenix); United States Tax Court (Phoenix); United States Department of Justice, Asset Forfeiture & Money Laundering Section (AFMLS, Washington, D.C [in a Tucson matter]); ICE HSI (Immigration and Customs Enforcement Homeland Security Investigations) [in international trade & employer compliance matters]; FDA-CFSAN (Center for Food Safety & Applied Nutrition), Washington, D.C, Tucson (in a single food-borne illness matter) ; FAA (in a single hazardous materials aviation criminal matter); United States Secret Service (in a person of interest criminal matter); Arizona Medical Board (in multiple matters involving licensing, sanctions, interim suspension & proposed revocations for allopathic physicians); Arizona State Nursing Board (NP's, R.N.'s) (same); Arizona State Pharmacy Board; Arizona DPS Fingerprint Clearance [card] Team (numerous matters).

SCHOOL DISCIPLINARY MATTERS

2005-15 Appearances before: University of Arizona Office of the Dean of Students (numerous suspension matters); Tucson Unified School District; Flowing Wells School District; Amphi School District; Sahuarita School District (long term suspension and expulsion matters for middle school and high school students); Pima County Juvenile Court (delinquency petitions, and pre-petition referrals).

MEDIA COVERAGE

2001-16 Matters receiving media attention: *Hurles v. Ryan*, 650 F.3d 1301 (9th Cir. 2011) (holding due process violation where trial judge improperly participated in proceedings, vacating death penalty(Wall St. Journal, ABC News, Associated Press, Reuters, Atlanta Journal Constitution) *amended and superseded by Hurles v Ryan* 706 F.3d 1021 (2013) (granting habeas Rule 6(e) evidentiary hearing on judicial bias claim) *amended and superseded by Hurles v. Ryan* 752 F.3d 768 (2014); *United States vs. Chan et. al.* Case No. 06-00054-TUC-CKJ[U.S. Dist. Court] (CNN) [reported as \$82 million dollars in counterfeit Nike athletic shoes smuggled into the United States from China]; *United States v. Ramon de Harvey*, Case No. 04-03323M-TUC-JCC [U.S. Dist. Court] (Fox News/The O’Rielly Factor) [federal alien smuggling indictment]; *United States v. Shipley, et al.*, Case No. CR 02-1618-TUC-DCB-CRP [U.S. Dist. Court] (CNN) [matter involving outbreak of Salmonella linked to produce]; *United States v. Livdahl, et al.* No. 05-M-7609 , [U.S. Dist. Court] [physicians indicted for marketing misbranded Botox]; *United States v. Golden State Bus Lines, et al.*, Case No. _____ (U.S. Dist. Court) (alien smuggling conspiracy); *Kelava v. Gonzales*, 9th Cir. Case No. 03-73689 (Associated Press) [reported as terrorism matter]; *United States v. Brooks*, Case No. CR-99-721 (U.S. Dist. Court) (Wall Street Journal) (alien smuggling conspiracy); *State v. Guarriello*, Case No. CR 2002-1640 (Pima County Superior Court) (Corrections Officer indicted for homicide); *United States v. Nassar Al Haribi, et al.*, case No. CR02-00880-TUC-CKJ (GEE) (U.S. Dist. Court) (New York Times) [wire fraud].

COURT APPEARANCES

2000-16 Appearances in the following as attorney of record: United States District Court (Phoenix; Tucson; El Paso); Graham County Superior Court; Cochise County Superior Court; Santa Cruz County Superior Court; Pima County Superior Court; Pima County Pinal County Superior Court; Maricopa County Superior Court (eastside and downtown); and geographically (southeast to northwest): Douglas Municipal Court; Safford J.P. Court; Wilcox J.P. Court; Sierra Vista J.P. Court; Sierra Vista Municipal Court; Sonoita J.P. Court; Benson Municipal Court; Nogales J.P. Court; Nogales City Court; Ajo J.P. Court; Green Valley J.P. Court; Sahuarita Municipal Court; South Tucson Municipal Court; Tucson City Court; Pima County Consolidated J.P. Courts (Tucson); Oro Valley Municipal Court; Marana Municipal Court; Eloy J.P. Court; Casa Grande J.P. Court; Oracle J.P. Court; Mesa City Court; East Mesa Justice Court (Judge Lester Pearce); Chandler City Court; Gilbert Municipal Court; Tempe City Court; Phoenix City Court; Phoenix J.P. Courts (downtown, Glendale and westside); Avondale Municipal Court; Buckeye Municipal Court; Surprise Municipal Court; Ironwood Justice Court (Gila Bend); Hassayampa Justice Court; Wickenburg J.P. Court; Quartzite Justice Court; Yuma Justice Court.

FEDERAL IMMIGRATION LITIGATION

Appearances as attorney of record in deportation, asylum, refugee and Convention Against Torture matters before US Department of Justice Executive Office of Immigration Review (EOIR) Immigration Courts in San Francisco, Las Vegas, Phoenix, Eloy, Florence and Tucson; as appellate attorney of record before the Board of Immigration Appeals and the United States Court of Appeals for the 9th Circuit; as initiating Plaintiff attorney of record in United States District Courts, Phoenix and Tucson concerning claims for citizenship and asylum.

PANEL WORK

2000-12 Federal CJA Panels for Capital Habeas litigation; felonies and appeals; Pima County Indigent Services Homicide Panel.

RECENT INVITED PRESENTATIONS

- 2016 Arizona Public Defender's Association Annual Conference, Tempe, Arizona (June 22-23, 2016) "Collateral Consequences of Common Crimes: Representing Professionals" (90 minutes as sole presenter); and "Set Traps and Hidden Triggers: Prohibited Possessors, Domestic Violence and other Matters" (90 minutes as sole presenter).
- 2016 Arizona Attorneys for Criminal Justice 29th Annual DUI Conference (May 2-3), Tucson, Arizona (featured speaker), "Collateral Consequences of Common Crimes: DUI and Vehicular Offenses" (60 minutes; sole presenter).
- 2016 University of Arizona James E. Rogers College of Law (March 25th, 2016); Legal Ethics for Criminal Lawyers [Law 662C] "Former ER 1.3 Duty of 'Zeal'"(guest presentation)
- 2015 University of Arizona James E. Rogers College of Law; (December 3, 2015) Legal Profession [Law 609] (mandatory class), "Ethical Issues in Immigration Representation" (guest presentation).
- 2015 Arizona Attorneys for Criminal Justice 28th Annual DUI Conference (April 30-May 1), Tucson, Arizona "Collateral Consequences of Common Crimes: DUI and Vehicular Offenses" (60 minutes; sole presenter).