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Judge Wanger's exit leaves hole in district

Posted at 10:24 PM on Wednesday, Aug. 31, 2011

By Michael Doyle / Bee Washington Bureau

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WASHINGTON – The retirement of U.S. District Judge Oliver Wanger in Fresno will leave a gaping hole in one of the federal judiciary's busiest regions.

Wanger revealed Wednesday he is departing in one month. But because the 70-year-old judge already is on senior status, his position won't be filled. One result will be an even heavier workload for his soon-to-be former colleagues in the Eastern District of California.

"The already-strained workload of our court has now become impossible in light of Judge Wanger's announcement to leave our bench," U.S. District Judge Lawrence J. O'Neill said via email.

The vast Eastern District stretches from the Oregon border to the Tehachapi Mountains south of Bakersfield. Its judges shoulder a commensurately large workload. Last year, 5,681 civil cases and 941 criminal cases were filed in the district. Each day brings more.

On Monday and Tuesday, for instance, court records show 41 civil and criminal cases were filed in the Eastern District.

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ERIC PAUL ZAMORA / THE FRESNO BEE

U.S. District Judge Oliver W. Wanger is photographed in his chambers in Fresno on Wednesday, Aug. 31. Wanger is retiring after decades working high profile cases including salmon protection and the delta smelt.

In Fresno, prosecutors charged seven individuals with pirating movie DVDs. A Bakersfield resident was sued for allegedly failing to repay \$38,000 in student loans and interest.

Overall, the workload for Eastern District trial judges is about three times greater than that facing federal judges nationwide. A bill by Democratic Sen. Dianne Feinstein would add six more judges to the district, but so far the legislation has fallen short.

"We now rely on the legislative branch of government to meet their duties to provide the additional judges needed to allow us to complete our work," O'Neill said.

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His last day is Friday, Sept. 30. The following Monday, he returns to private practice.

[Wanger to retire after 2 decades on federal bench](#)



though, so far have seemed reluctant to put aside their differences over judicial matters. Their track record is particularly bleak in filling vacancies.

"It seems like it's kind of slowed down," Kevin Johnson, dean of the University of California at Davis law school, said of the judicial confirmation process. "It just seems like there's not much activity going on."

Johnson is a member of an advisory committee that helps screen potential judicial nominees for Democratic Sen. Barbara Boxer.

Nationwide, 92 federal judicial seats currently remain unfilled. Seventy-three of these are the district court positions like the one Wanger has held since 1991. Five of the district court vacancies are in

California.

FRESNO BEE STAFF WRITER JOHN ELLIS ALSO CONTRIBUTED TO THIS STORY. THE REPORTER CAN BE REACHED AT MDOYLE@MCCLATCHYDC.COM OR (202) 383-0006.

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