

Matthew A. Monahan

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EXPERIENCE

State Appellate Defender Office

Assistant Defender, Direct Appeals Unit, 2019 – Present

- I have argued cases in the Michigan Supreme Court and changed the law for the better by way of published wins in the Michigan Court of Appeals and Sixth Circuit.
- Direct Appeals operates as a complex criminal appellate litigation unit. We handle appointed cases statewide and practice at all levels of the state courts.
- I litigate ineffective assistance claims and begin those claims in the trial courts. I investigate, research, and brief off-record issues. Then I handle trial court evidentiary hearings to expand the record.
- I represent clients at resentencings and have won meaningful sentence reductions.

Hon. Laurie J. Michelson, Eastern District of Michigan

Term Law Clerk, 2017 – 2019

Office of the Federal Defender, Eastern District of Michigan

Intern, May – August 2016

EDUCATION

Northwestern University Pritzker School of Law

Juris Doctor, May 2017

- GPA: 3.92
- Commencement Speaker.
- Senior Online Editor, Northwestern University Law Review,
- Kirkland & Ellis Scholar in Constitutional Law (awarded annually to the top 1L in each core class).

University of Chicago

Master of Arts in Social Science Research, August 2013

DePaul University

Bachelor of Arts, summa cum laude, Political Science, June 2008

AWARDS

2023 Recipient of the Detroit Bar Association's Community Impact Award

NOTABLE CASES

- *Hewitt-El v. Burgess*, 53 F.4th 969 (6th Cir. 2022) (I wrote the brief and handled oral argument before Judges Kethledge, Sutton, and Boggs. Panel affirmed the grant of habeas corpus and made good law on the limits of a procedural default)
- *Chandler v. Brown*, Sixth Circuit No 23-1270 (appeal from denial of habeas petition currently pending in Sixth Circuit. I handled briefing and argument)
- *People v. Edwards*, Michigan Supreme Court No.163942 (Michigan lets trial courts assess a tax on people convicted of a crime, collecting \$300 million annually. After briefing and argument on separation of powers and due process challenges, the Michigan Supreme Court denied leave)
- *People v Johnson*, Michigan Court of Appeals No. 363774 (pending on leave granted: whether Michigan's free-speech clause prohibits incarceration for speech)
- *People v. Antonio Jackson*, 509 Mich. 981 (2022) (Michigan Supreme Court found a state-law due process violation at sentencing and remanded for resentencing. At resentencing, Mr. Jackson received a two-year cut)
- *People v Motley*, Macomb CC No. 2018-003840-FC (new trial granted following trial court evidentiary hearing on the insanity defense, intellectual disability, mental illness, and ineffective assistance of counsel)
- *People v. Johnson*, 340 Mich. App. 531 (2022) (true threat case similar to *Elonis*: new trial granted where jury instructions omitted mens rea element)
- *People v. Bryant*, 342 Mich App 29 (2022) (child abuse conviction vacated because the statute's plain language did not criminalize the failure to timely seek medical care)
- *People v Morgan*, 2021 WL 2619719 (25-year mandatory minimums reversed and new trial granted due to ineffective assistance of trial counsel)
- *People v. Converse*, 2023 WL 496293 (Mr. Converse drove his vehicle into a Black Lives Matter protest and was convicted of assault with intent to do great bodily harm. Conviction reversed because the trial court overlooked competency concerns and violated Mr. Converse's right to counsel)
- *People v Converse*, 2022 WL 1591673 (OUI-3 conviction reversed where trial court failed to ensure a knowing, intelligent, and voluntary waiver of the right to counsel)
- *United States v. Montez*, 858 F.3d 1085 (7th Cir. 2017) (as a law student, I wrote a brief raising an ACCA elements-clause issue, and I argued orally before Judges Posner, Hamilton, and Manion)

PUBLICATIONS

Monahan, Matt, *Defender Habeas Manual 2023*, Criminal Defense Resource Center (Mich 2023)

Monahan, Matt, Michigan Criminal Law Treatise, Chapter 24: *Post Trial Relief*, Thompson Reuters (forthcoming).