

United States Court of Appeals
for the Fifth Circuit

March 10, 1993

PATRICK E. HIGGINBOTHAM
CIRCUIT JUDGE

UNITED STATES COURTHOUSE
1100 COMMERCE STREET
DALLAS, TEXAS 75242

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To Dean Mark Yudof	From Higginbotham	
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Mr. James E. Coleman, Jr.
Chair, Thurgood Marshall Award Committee
Section of Individual Rights and Responsibilities
American Bar Association
1800 M Street, N.W.
Washington, D.C. 20036

Re: Michael E. Tigar

Dear Mr. Coleman:

With every generation, there are a handful of lawyers whose raw intelligence, courage, and instinctive embrace of the underdog hurl them to the front of the never-ending defense of individual freedom. These unique persons have more than their share of nerve, gall, compassion, swagger, and general panache. They are essential catalysts of the chemistry of government. I second the nomination of Michael E. Tigar, one of the handful, for the Thurgood Marshall Award.

I first met Mike more than 20 years ago when he strode into my law office--a Washington lawyer with a western belt and cowboy boots. Mike was then working with Edward Bennett Williams, and we were representing co-defendants in a large criminal case. We have worked together on various projects from time to time since then, from the casual role of fellow panelists on various programs, to the more intensive experience of team teaching at the NITA program in Boulder, Colorado.

He has appeared before me on numerous occasions as an advocate. Most recently, we have worked together in an effort to secure adequate representation for persons on death row. His boundless energy has been essential to the stability of the Resource Center in Texas, a state with the largest population of death row inmates. As usual, Mike is at the edge of the law, pushing for the rights of the accused. He argued Graham v. Collins in the Supreme Court. While on the short end of this 5-4 decision, the essentials of his argument will have significant influence and may yet command a majority. I hesitate to be specific because Mike's activities are so diverse. Whether he is working with the

African National Congress, or defending First Amendment freedoms of American lawyers, or pursuing justice in South American countries, the baseline is the same.

Each time I read Thurgood Marshall's argument in the Brown cases, I am struck by his ability to touch the moral underpinnings of his cause--to make undeniable the justice of his position. Thurgood Marshall's color and place in time charted his path. But, Mike Tigar is a kindred spirit. No person is more fit for this award.

Sincerely yours,

Pat E. Higginbotham
Patrick E. Higginbotham
United States Circuit Judge