



## **This Pro-Choice GOP Governor Wants to Succeed Scalia**

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Nevada Gov. Brian Sandoval, a Republican, has risen as a rumored Supreme Court successor to the late Justice Antonin Scalia, but conservative lawyers say the “unqualified” governor’s nomination is highly unlikely.

“This guy is a lightweight,” Ed Whelan, president of the Ethics and Public Policy Center, told The Daily Signal. “He’s not remotely qualified to fill any seat, much less Justice Scalia’s.”

Sandoval, a former federal judge, spoke to with Senate Minority Leader Harry Reid and Sen. Dean Heller, R-Nev., over the weekend regarding the high court’s vacant seat, according to Morning Consult.

While beating back speculation that he had landed on President Barack Obama’s short list, Sandoval told reporters Saturday he was “honored” his name had surfaced among potential nominees.

Carrie Severino, chief counsel and policy director at the Judicial Crisis Network, told The Daily Signal there is “zero chance” Obama would nominate anyone other than an “extreme” liberal, calling Sandoval’s Capitol Hill meeting a “typical duplicitous charade” by Reid.

Former President George W. Bush appointed Sandoval to Nevada’s U.S. District Court in 2005. The Senate unanimously confirmed him to the post, 89-0.

Four years later, he resigned to run for governor, smoothly winning against the state’s incumbent. But he has always expressed interest in returning to the judicial branch, the Morning Consult reported.

Though he’s dubbed a moderate, Sandoval has often pivoted himself in opposition to Republicans on the national level, making his confirmation even among GOP senators questionable.

Since becoming governor in January 2011, Sandoval has been outspoken in his support for pro-choice policies and halted Nevada’s fight against same-sex marriage. After the Supreme Court’s decision on the issue last year, he said his state’s “arguments against marriage equality are no longer defensible.”

In April 2015, he proposed the steepest tax hike in the state's history, conceding to the Associated Press that the move was "not orthodox" for a Republican.

He also worked with the state legislature in 2013 to expand Nevada's Medicaid coverage under the Affordable Care Act and was one of three GOP governors to establish a state-based exchange.

Ilya Shapiro, a senior fellow in constitutional studies at the Cato Institute, told The Daily Signal Sandoval has become known as a "squish" since taking office and called the Democrats' potential plan to place pressure on GOP senators by nominating a Republican "cute."

Severino, who formerly served as a law clerk to Justice Clarence Thomas, said it's a "distraction" to discuss Sandoval's qualifications.

"There's no way he will get this nomination," Severino said. "The president is going to nominate an extreme liberal. He's not going to nominate anyone who, for example, would have any chance fighting his unconstitutional executive actions on immigration."

But regardless of who is ultimately nominated, she said confirmation should wait until after the presidential election so that Americans can have a say in the issue.

"This is too important to rush through on the last year of a presidency," she said. "You wouldn't introduce a major piece of legislation at this time. This is not the time to discuss this."