

JOHN HARLAND GIAMMATTEO
State University of New York at Buffalo
School of Law
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ACADEMIC EMPLOYMENT

University of Buffalo School of Law, State University of New York August 2023 – present
Associate Professor of Law

Georgetown University Law Center August 2021 – July 2023
Clinical Teaching Fellow, Civil Litigation Clinic

EDUCATION

Georgetown University Law Center. Washington, District of Columbia
LLM, with honors May 2023.

Yale Law School. New Haven, Connecticut
JD, June 2017.

Charles G. Albom Prize, for excellence in judicial and/or administrative appellate advocacy
William K.S. Wang Prize, for superior performance in an introductory corporate law course
Coker Fellow
Veterans Legal Services Clinic, *Law Student Intern*
International Refugee Assistance Project, *Chapter Co-Director*
Yale Journal of International Law, *Features Editor*
Research Assistant for Prof. Judith Resnik
Peer Advocate

SOAS, University of London. London, United Kingdom
MA, with distinction, in South East Asian Studies, September 2013.
Funded through a Marshall Scholarship.

City University. London, United Kingdom
MA, with distinction, in Global Migration, September 2012.
Funded through a Marshall Scholarship.

Syracuse University. Syracuse, New York
BA, *summa cum laude*, University Scholar and Phi Beta Kappa, in Anthropology and Magazine Journalism, May 2011.

RESEARCH AND TEACHING INTERESTS

Primary: Civil Procedure, Federal Courts, Clinical Teaching, Administrative Law
Secondary: Immigration, Appellate Procedure, Public Benefits Law

PUBLICATIONS AND WORKS IN PROGRESS

Prosecuting Discretion in Immigration Court (in progress).

[*The New Comity Abstention*](#), 111 CALIF. L. REV. __ (forthcoming 2023).

[*A Poll Tax By Another Name: Considering the Constitutionality of Conditioning Naturalization and the “Right to Have Rights” On An Ability to Pay*](#), 95 N.Y.U. L. REV. ONLINE 259 (2020).

[*United States Migrant Interdiction and the Detention of Refugees in Guantánamo Bay*](#), 29 INT. J. REFUGEE L. 195 (2017) (book review).

[*Conversations Across Our America: Talking About Immigration and the Latinoization of the United States*](#), 36 ETHNIC AND RACIAL STUDIES 1261 (2013) (book review).

[*Border Watch: Cultures of Immigration, Detention, and Control*](#), 36 ETHNIC AND RACIAL STUDIES 520 (2013) (book review).

[*To Return or Stay?*](#), 35 FORCED MIGRATION REV. 52 (2010).

PRESENTATIONS

Prosecuting Discretion in Immigration Court

- Law & Society Association, Annual Meeting (June 4, 2023).

The New Comity Abstention

- Seventh Annual Civil Procedure Workshop (May 20, 2022).
- AALS 2022 Conference on Clinical Legal Education, Works in Progress (May 12, 2022).

TEACHING EXPERIENCE

Civil Procedure, University At Buffalo, Fall 2023.

Civil Litigation Clinic Seminar, Georgetown University Law Center, Fall 2021, Spring and Fall 2022 (fellow and co-teacher).

Contracts, Yale Law School, Fall 2016 (Coker Fellow, teaching assistant for Prof. Lea Brilmayer).

Federal and State Courts in a Federal System, Yale Law School, Fall 2015 (teaching assistant for Professor Judith Resnik).

CLERKSHIPS

Hon. Gerard E. Lynch, U.S. Court of Appeals for the Second Circuit. New York, NY
2018 – 2019

Hon. Victor A. Bolden, U.S. District Court, District of Connecticut. Bridgeport, Conn.
2017 – 2018

LEGAL EXPERIENCE

Lutheran Social Services of New York. New York, NY

Justice Catalyst Fellow (Oct. 2020 – August 2021); *Liman Fellow* (Oct. 2019 – Oct. 2020).

Launched Second Circuit Asylum Monitoring Project, tracking all pending petitions for review and regularly intervening as *amici* on behalf of a coalition of legal service organizations in high impact cases. Represented individual clients in petitions for review, and mandamus and habeas actions, in federal court. Represented clients in removal proceedings in immigration court and in applications before the United States Citizenship and Immigration Services. Led organizational commenting on regulatory proposals.

American Civil Liberties Union, Immigrants' Rights Project. New York, NY

Legal Intern (June 2016 – February 2017).

Researched legal issues for litigation regarding immigration detention, access to counsel, and extraterritoriality.

Immigrant Defense Project. New York, NY

Intern (June 2015 – August 2015)

Drafted amicus brief supporting a post-conviction relief appeal pending before the New York Court of Appeals. Prepared model motions for defenders challenging removal proceedings based on ICE enforcement techniques and regulatory violations. Analyzed the immigration consequences of criminal convictions for attorneys representing noncitizen clients.

REPRESENTATIVE CASES

Malets v. Garland, 66 F.4th 49 (2d Cir. 2017) (argued) (vacating *Matter of Y-I-M*, 27 I. & N. Dec. 724 (2019) and remanding for further proceedings)

Brief in Support of Petitioner by Amici Curiae Former Immigration Judges and Members of the Board of Immigration Appeals, *Martinez Roman v. Garland*, ___ F.4th ___, 2022 WL 4241573 (2d Cir. Sept. 15, 2022) (author) (cited in opinion).

Monk v. Shulkin, 855 F.3d 1312 (Fed. Cir. 2017) (argued) (overruling thirty years of precedent and establishing authority to hear class actions in the Article I court reviewing veteran benefit denials).

BAR ADMISSIONS

District of Columbia, New York
2d Circuit, 9th Circuit, D.D.C., E.D.N.Y., and S.D.N.Y.