

## DARRELL A. H. MILLER

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### ACADEMIC EXPERIENCE

#### **Duke University School of Law**

Professor July 2013-  
Visiting Professor Spring 2012

Courses: Civil Procedure, Civil Rights Litigation, State and Local Government,  
Second Amendment Seminar

#### **University of Cincinnati College of Law**

Professor Aug. 2012-July 2013  
Associate Professor 2010-Aug. 2012  
Assistant Professor 2007-2010

Courses: Civil Procedure I, Civil Procedure II, Civil Rights Litigation

Prizes: **Winner, Harold C. Schott Scholarship Award** 2011  
**Winner, Goldman Prize for Excellence in Teaching** 2010  
**Winner, Goldman Prize for Excellence in Teaching** 2009

#### **Moritz College of Law, The Ohio State University**

Adjunct Professor 2005-2006, Fall 2006

Courses: Negotiations (co-taught); Appellate Advocacy

## SELECTED PUBLICATIONS

Peruta, the Home-Bound Second Amendment, and Fractal Originalism,  
127 **HARVARD LAW REVIEW FORUM** 238 (2014)

Analogies and Institutions in the First and Second Amendments: A Response to Professor Magarian,  
91 **TEXAS LAW REVIEW SEE ALSO** 137 (2013)

Text, History, and Tradition: What the Seventh Amendment Can Teach Us About the Second,  
122 **YALE LAW JOURNAL** 852 (2013)

The Thirteenth Amendment and the Regulation of Custom,  
112 **COLUMBIA LAW REVIEW** 1811 (2012)

Book Review of Glenda Gilmore, Defying Dixie: The Radical Roots of Civil Rights, 1919-1950,  
52 **AMERICAN JOURNAL OF LEGAL HISTORY** 379 (2012)

Racial Cartels and the Thirteenth Amendment Enforcement Power,  
100 **KENTUCKY LAW JOURNAL** 23 (2012)

Guns, Inc.: Citizens United, McDonald, and the Future of Corporate Constitutional Rights,  
86 **NEW YORK UNIVERSITY LAW REVIEW** 887 (2011)

- *Cited in Korte v. Sebelius (7th Cir. 2013)*

Retail Rebellion and the Second Amendment,  
86 **INDIANA LAW JOURNAL** 939 (2011)

Iqbal and Empathy,  
78 **UMKC LAW REVIEW** 999 (2010)

A Thirteenth Amendment Agenda for the Twenty-First Century: Of Promises, Power and Precaution, chapter in  
**THE PROMISES OF LIBERTY: THE HISTORY AND CONTEMPORARY RELEVANCE OF THE THIRTEENTH AMENDMENT**, Alexander Tsesis, editor  
(Columbia University Press 2010)

**(Selected Publications, Cont.)**

Guns as Smut: Defending the Home-Bound Second Amendment,  
109 **COLUMBIA LAW REVIEW** 1278 (2009)

- *Cited by Justice John Paul Stevens in dissent in McDonald v. City of Chicago (U.S. 2010)*

White Cartels, the Civil Rights Act of 1866, and the History of Jones v. Alfred H. Mayer Co.,  
77 **FORDHAM LAW REVIEW** 999 (2008)

State DOMAs, Neutral Principles, and the Möbius of State Action,  
81 **TEMPLE LAW REVIEW** 967 (2008)

**WORKS IN PROGRESS**

Second Amendment Institutions

The Janus of Civil Rights Law

A Meditation on the Thirteenth Amendment and Constitutional Redemption

The Surprising Pervasiveness of Gun Control (with Joseph Blocher)

**EDUCATION**

**Harvard Law School 2001**

J.D. cum laude

Notes Editor, Harvard Law Review

**Oxford University 1997 (2002)**

B.A., M.A. (Oxon.)\* Modern History & English

**British Marshall Scholar 1995-1997**

**Anderson University 1994**

B.A. summa cum laude English & Education

\* All work completed in 1997, granted by supplication, 2002.

## SELECTED PRESENTATIONS

“The City as a Self-Defense Institution”

The Fordham Comparative Urban Law Conference, London, England (June 2014)

Panelist, “Preventing Gun Violence: The Problem, Solutions, and What the Second Amendment Allows,” ABA/William Mitchell Law School, St. Paul, Minnesota (June 2014)

“Second Amendment Institutions”

Brooklyn Law School Workshop (April 2014)

Moderator, “*Hobby Lobby*, Healthcare and Religious Expression”

Duke Law School (March 2014)

“Guns and Roses: The Past, Present, and Future of Firearm Rights and Regulations in North Carolina”

North Carolina Bar Association CLE Program (March 2014)

Panelist, “Locked & Loaded: Charlotte Law Review's Symposium on Gun Rights and Gun Control”

Charlotte Law School (March 2014)

“Second Amendment Traditionalism and Desuetude”

Duke Law School Roundtable on Custom, Convention, and Tradition in Constitutional Law (Nov. 2013)

“A Meditation on the Thirteenth Amendment as Redemption”

University of Houston Law School Colloquium (Feb. 2013)

“The Second Amendment in Theory and Practice”

Harold Schott Scholarship Award Lecture, University of Cincinnati (Nov. 2012)

“Historical Tests, (Mostly) Unbalanced Rights, and What the Seventh Amendment Can Teach Us About the Second”

University of Chicago Law School Public Law and Legal Theory Workshop (Sept. 2012)

“Historical Tests, (Mostly) Unbalanced Rights, and What the Seventh Amendment Can Teach Us About the Second”

Seton Hall Law School Colloquium (March 2012)

“The Thirteenth Amendment and the Regulation of Custom”

Symposia on the Thirteenth Amendment: Meaning, Enforcement, and Contemporary Implications  
Columbia Law School (Jan. 2012)

“What the Seventh Amendment Can Teach Us About the Second”

Southwestern Law School (Los Angeles) (August 2011)

**(Selected Presentations, Cont.)**

“What the Seventh Amendment Can Teach Us About the Second”  
University of Cincinnati Summer Workshop (July 2011)

“Racial Cartels and the Thirteenth Amendment Enforcement Power,” Conference on Structural Racism: Inequality in America Today, University of Kentucky (Feb. 2011)

“Guns, Inc.: Citizens United, McDonald, and the Future of Corporate Constitutional Rights,”  
University of Pittsburgh Law School Faculty Colloquium (Sept. 2010)

“Idolizing the Constitution,”  
Speech Delivered at the Constitution Day Address, Anderson University (Sept. 2010)

Panelist, Symposium, “Chamber to Chambers: The Second Amendment in the New Century,”  
Northeastern University Law Journal (March 2010)

“Retail Rebellion and the Second Amendment,” presented at Washington & Lee Law School  
Faculty Colloquium (Feb. 2010) and at the St. Thomas University Law School (Minneapolis)  
Faculty Colloquium (Feb. 2010)

“Iqbal and Empathy,” University of Missouri—Kansas City Law School, presented at the Edward  
A. Smith/Bryan Cave Symposium “Enforcing Constitutional Rights in the Twenty-First Century”  
(Oct. 2009)

“A Thirteenth Amendment Agenda for the Twenty-First Century: Of Promises, Power and  
Precaution,” (originally titled “White Cartels and the Civil Rights Act of 1866”)  
Slavery, Abolition, & Human Rights: Interdisciplinary Perspectives on the Thirteenth  
Amendment, University of Chicago School of Law (April 2009)

Panelist, Presidential Inauguration Forum, University of Cincinnati (Jan. 2009)

“White Cartels, the Civil Rights Act of 1866, and the History of *Jones v. Alfred H. Mayer Co.*,”  
presented at the Chicago-Kent Law School, Faculty Workshop (Nov. 2008); presented at the  
Northeast People of Color Conference, Boston University (Sept. 2008); University of Cincinnati  
Summer Workshop (July 2008)

## **PROFESSIONAL EXPERIENCE**

### **Vorys, Sater, Seymour and Pease LLP**

Litigation Associate

2002-2007

- Practiced in areas of appellate advocacy and complex commercial litigation including MDL, class action, and civil fraud litigation
- Member of firm's Diversity Committee and Litigation Specialization Task Force

### **Hon. R. Guy Cole, Jr., U.S. Court of Appeals for the Sixth Circuit**

Law Clerk

2001-2002

## **EDUCATIONAL and CIVIC ACTIVITIES**

Advisory Board, American Journal of Legal History (2011-present)

Board Member, Housing Opportunities Made Equal (H.O.M.E.) (2009-2013)

Lateral Appointments Committee, Duke Law School (2013-2104, 2014-2015)

Admissions Committee, Duke Law School (2014-2015)

ABA/AALS Self-Study Committee, University of Cincinnati College of Law (2010)

Admissions Committee, University of Cincinnati College of Law (2010-2011)

Committee on Committees, University of Cincinnati College of Law (2008-2009, 2010-2011, 2012-2013)

Appointments Committee, University of Cincinnati College of Law (2008-2009, 2009-2010, 2011-2012)

Academic Policy and Curriculum Committee, University of Cincinnati College of Law (2012-2013)

Diversity Committee, University of Cincinnati College of Law (2010-2011)

Panelist, U.C. Admissions Office Prospective Student Open House (2008, 2010)

University of Cincinnati Faculty Senate (2008-2010)

University of Cincinnati Honors Program (2008-2013)

Faculty consultant for Rhodes & Marshall scholarships

Anderson University Alumni Council (2007-2012)

## **MEMBERSHIPS**

Bar Admissions: State of Ohio, U.S. Court of Appeals for the Sixth Circuit; U.S. District Court, Northern District of Ohio; U.S. District Court, Southern District of Ohio

Life Member, U.S. Court of Appeals, Sixth Circuit Judicial Conference; American Bar Association