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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

October 6, 2025

VIA ELECTRONIC TRANSMISSION

The Honorable Henry T. Wingate
U.S. District Court for the Southern District of Mississippi
501 East Court Street, Suite 6.750
Jackson, MS 39201

Dear Judge Wingate:

Recent reports indicate that on July 20, 2025, you issued a temporary restraining order (TRO) in *Jackson Federation of Teachers, et al. v. Lynn Fitch, et al.*, Case No. 3:25-cv-00417, which contained serious inaccuracies, including: (1) naming plaintiffs and defendants that are not parties in this case; (2) misquoting the statutory text; (3) making factually inaccurate statements that are not supported by the record; and (4) referencing declarations of four individuals who do not appear anywhere in this case.¹ After the defendants raised legitimate concerns about these substantive errors on July 22, 2025,² you issued a text order the very next day granting the defendants' unopposed motion to correct the record with the note: "NO FURTHER WRITTEN ORDER SHALL FOLLOW."³ These events prompted public concern that generative artificial intelligence ("AI") may have been used in preparing the order with little or no human verification.⁴

¹ See, e.g., Mike Scarcella, *US Judge Says He Won't Explain Error-Ridden Ruling in Mississippi Civil Rights Case*, REUTERS (Aug. 4, 2025), <https://www.reuters.com/legal/government/us-judge-says-he-wont-explain-error-ridden-ruling-mississippi-civil-rights-case-2025-08-04/>; Mike Scarcella, *Two U.S. Judges Withdraw Rulings After Attorneys Question Accuracy*, REUTERS (July 29, 2025), <https://www.reuters.com/legal/government/two-us-judges-withdraw-rulings-after-attorneys-question-accuracy-2025-07-29/>; Stephen Dinan & Alex Swayer, *Out of Order? AI Hallucinations Suspected in Withdrawal of Federal Judges' Questionable Rulings*, WASH. TIMES (Aug. 3, 2025), <https://www.washingtontimes.com/news/2025/aug/3/order-ai-hallucinations-suspected-withdrawal-federal-judges/>; Debra Cassens Weiss, *'No Further Explanation is Warranted' for TRO Opinion with Made-Up Allegations, Parties, Federal Judge Says*, ABA J. (Aug. 5, 2025), <http://abajournal.com/news/article/no-further-explanation-is-warranted-for-opinion-with-made-up-allegations-and-parties-federal-judge-says/>.

² Defs.' Unopposed Mot. to Clarify/Correct Dkt., ECF No. 54, *Jackson Fed'n of Tchrs., et al.*, Case No. 3:25-cv-00417 (S.D.M.S. July 23, 2025).

³ July 23, 2025 Text Order, *Jackson Fed'n of Tchrs., et al.*, Case No. 3:25-cv-00417 (S.D.M.S. July 23, 2025) (Wingate, J.).

⁴ See, e.g., Taylor Vance & Devna Bose, *AI Ruling? Attorneys Baffled by Federal Judge's Order That Lists Incorrect Parties, Wrong Quotes*, MISS. TODAY (July 28, 2025), <https://mississippitoday.org/2025/07/28/attorneys-baffled-by->

After these concerns received media scrutiny, you replaced the order with a “corrected” version but declined to explain the errors or keep the original order publicly available on the docket, dismissing the mistakes as merely “clerical.”⁵ You then denied the defendants’ later motion to correct the docket, preserve the record, and seek clarification on the Court’s decision after counsel identified multiple substantive errors in the Court’s decision.⁶

At the same time, in a separate active case assigned to you and referred to U.S. Magistrate Judge Andrew S. Harris—*Blake Lewis v. Entergy Mississippi, LLC*, Case No. 3:25-cv-00323—the Court recently issued a show cause order after concerns arose that an attorney used AI to draft a brief riddled with citation errors to non-existent authorities.⁷ That attorney was required to explain under oath how the errors occurred and what remedial steps were being taken to avoid such errors in the future.⁸ Against this backdrop, I am troubled that in *Jackson Federation of Teachers, et al. v. Lynn Fitch, et al.*, you declined to meaningfully address the defendants’ concerns—and their legitimate request to preserve the record and correct the factual inaccuracies in the original TRO order—and instead dismissed numerous substantive citation, quotation, and factual errors in your own decision as mere “clerical” mistakes—accompanied with the sweeping assertion that “[n]o further explanation is warranted.”⁹

No less than the attorneys who appear before them, judges must be held to the highest standards of integrity, candor, and factual accuracy. Indeed, Article III judges should be held to a higher standard, given the binding force of their rulings on the rights and obligations of litigants before them. It is particularly concerning that you would characterize as “clerical” the inclusion of individuals who are *not* parties to this case as if they were, the reliance on quotations that *do not exist*, and the citation to declarations from individuals who appear nowhere in the record. These do not appear to be simple slips of the pen or mechanical oversights, but substantive errors that undermine confidence in the Court’s deliberative process. When litigants see such mistakes dismissed as “clerical,” it raises serious doubts about whether they—and the American people at large—can trust that the Court is affording their cases the care and accuracy to which they are entitled.

[federal-court-order-with-factual-errors/](#); Victor Tangermann, *Judge Accused of Using AI to Issue Garbled Ruling*, FUTURISM (July 31, 2025), <https://futurism.com/judge-accused-ai-ruling>.

⁵ Aug. 1, 2025 Order, ECF No. 65, at 1–3, *Jackson Fed’n of Tchrs., et al.*, Case No. 3:25-cv-00417 (S.D.M.S. Aug. 1, 2025).

⁶ *Id.* at 1.

⁷ Show Cause Order, ECF No. 22, at 1–3, *Blake Lewis v. Entergy Mississippi, LLC*, Case No. 3:25-cv-323 (S.D.M.S. Sept. 3, 2025) (Harris, U.S. Magistrate Judge).

⁸ *Id.*

⁹ Aug. 1, 2025 Order, ECF No. 65, at 2, *Jackson Fed’n of Tchrs., et al.*, Case No. 3:25-cv-00417 (S.D.M.S. Aug. 1, 2025) (“No further explanation is warranted.”).

As Chairman of the Senate Judiciary Committee, I am committed to safeguarding litigants' rights and ensuring that every party in federal court receives fair treatment and careful review by the Article III judges confirmed by the Senate. That commitment is particularly pressing considering the judiciary's recent scrutiny of similar errors in litigant filings—resulting in monetary sanctions and even the removal of counsel from cases.¹⁰ As the Fifth Circuit has made clear, “[t]he use of AI or other technology does not excuse carelessness or failure to follow professional standards.”¹¹

The United States Senate Committee on the Judiciary has broad oversight and legislative jurisdiction regarding civil and criminal judicial proceedings, the federal courts, federal judges, and other related matters. To aid the Committee in obtaining information related to the exercise of these duties, I request your prompt and complete written answers to the following questions no later than **October 13, 2025**:

1. Did you, your law clerks, or any court staff use any generative AI or automated drafting/research tool in preparing any version of the Court's July 20, 2025 Order granting plaintiffs' motion for TRO or the subsequent July 23, 2025 Order that replaced the Court's original decision? If so, please identify each tool, its version (if known), and precisely how it was used.
2. Did you, your law clerks, or any court staff at any time enter sealed, privileged, confidential, or otherwise non-public case information into any generative AI or automated drafting/research tool in preparing any version of the Court's July 20, 2025 Order granting plaintiffs' motion for TRO or the subsequent July 23, 2025 Order that replaced the Court's original decision?


¹⁰ See, e.g., Sara Merken, *Judge Disqualifies Three Butler Snow Attorneys from Case Over AI Citations*, REUTERS (July 24, 2025), <https://www.reuters.com/legal/government/judge-disqualifies-three-butler-snow-attorneys-case-over-ai-citations-2025-07-24/> (reprimanding three attorneys for making false statements to the court after filing briefs containing AI-generated caselaw citations); Debra Cassens Weiss, *No. 42 Law Firm by Head Count Sanctioned over Fake Case Citations Generated by AI*, ABA J. (Feb. 10, 2025), <https://www.abajournal.com/news/article/no-42-law-firm-by-headcount-could-face-sanctions-over-fake-case-citations-generated-by-chatgpt> (sanctioning attorney \$5,000 for filing a motion with 8 citations to nonexistent cases); Andrew R. Lee, *Court Slams Lawyers for AI-Generated Fake Citations*, JONES WALKER (Apr. 25, 2025), <https://www.joneswalker.com/en/insights/blogs/perspectives/court-slams-lawyers-for-ai-generated-fake-citations.html?id=102k9h3> (identifying “nearly thirty defective citations” including citations to cases that “do not exist” and misquotes or actual legal authority); Pamela Langham, *Massachusetts Lawyer Sanctioned for AI-Generated Fictitious Case Citations*, MD. STATE BAR ASSOC. (Mar. 4, 2025), https://www.msba.org/site/site/content/News-and-Publications/News/General-News/Massachusetts_Lawyer-Sanctioned_for_AI_Generated-Fictitious_Cases.aspx (sanctioning attorney \$2,000 for citing fictitious cases in court pleadings); July 23, 2025 Text Order, ECF No. 19, *Terrance Hills v. Bob Evans, et al.*, Case No. 3:25-cv-00110-LPR (E.D.A.R.) (Rudofsky, J.) (ordering counsel to respond via an “Affidavit or Declaration (signed under penalty of perjury)” detailing the extent to which AI tools were used in drafting the brief).

¹¹ Justin Henry, *Judge Scraps Opinion After Lawyer Flags Made-Up Quotes*, BLOOMBERG L. (July 23, 2025), <https://news.bloomberglaw.com/business-and-practice/judge-withdraws-pharma-opinion-after-lawyer-flags-made-up-quotes>.

3. Please describe the human drafting and review performed in preparing the Court’s July 20, 2025 Order before issuance—by you, chambers staff, and court staff—including cite-checking, verification of quoted statutory text, party identification, and validation that every cited case exists and stands for the proposition stated.
4. For each misstatement identified in the defendants’ unopposed motion to clarify/correct—whether references to non-party plaintiffs and defendants, incorrect statutory quotations, and declarations of individuals who do not appear in this record—please explain the cause of the error and what internal review processes failed to identify and correct each error before issuance.
5. Please explain how the Court differentiates between what it characterizes as “clerical” mistakes in its July 20, 2025 Order, and non-existent citations filed by an attorney in an active case before you for which the Court required the attorney to submit a sworn affidavit explaining the errors and outlining remedial measures to prevent recurrence.
6. Please explain why the Court’s original July 20, 2025 Order was removed from the public record and whether you will re-docket the order to preserve a transparent history of the Court’s actions in this matter.
7. Please explain why the Court’s corrected July 23, 2025 Order omits any reference to the withdrawn July 20, 2025 Order, excludes that decision from any discussion of procedural history, and does not include a “CORRECTED” notation at the top of the document to indicate that the decision was substantively altered.
8. Please detail all corrective measures you have implemented in your chambers since July 20, 2025 to prevent recurrence of substantive citation and quotation errors in future opinions and orders, including proper record preservation.
9. Do you allow litigants in your court to use any AI tools in drafting their filings?

I appreciate your attention to this important matter and look forward to your timely response.

Sincerely,


CHARLES E. GRASSLEY
Chairman
Committee on the Judiciary