

# Federal prosecutor to be magistrate judge in Yakima's U.S. District Court

By Donald W. Meyers  
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U.S. District Judge Jim Hutton

A federal prosecutor with 11 years of experience has been named as the new magistrate judge at Yakima's U.S. District Court.



Kit Dimke

Mary Dimke, an assistant U.S. attorney, was recently appointed to replace Magistrate Judge James Hutton. Dimke's eight-year term on the magistrate's bench begins Jan. 14.

Hutton, a former Yakima County Superior Court judge, announced earlier this year that he would retire at the end of his term.

Andrea George, executive director of the Federal Defenders of Eastern Washington and Idaho, said Dimke's appointment was a "good choice." The federal defenders' office, which provides attorneys for federal defendants who cannot afford one, has had a good relationship with Dimke and the U.S. Attorney's Office, George said.

"I think she has a very even-keeled temperament, and is the type of person who will hear both sides," George said.

A native of Asotin County, Dimke earned her law degree at Vanderbilt University School of Law in 2002. She began her prosecutorial career in 2004 as a trial attorney in the Justice Department's criminal fraud section, before becoming an assistant U.S. attorney in 2008, working first in Western Washington and the past 3½ years in Eastern Washington, working mostly in Yakima and Richland.

As a federal prosecutor, Dimke handled cases involving trafficking in counterfeit goods, tax evasion, drug distribution, child pornography and importation offenses.

Dimke is married to Jerod Shelby, chief executive of SSC North America, which manufactures high-performance cars.

She replaces Hutton, a 1976 graduate of Gonzaga University's law school. He served as a Yakima County Superior Court judge from 1996 to 2007, when he was appointed to replace Magistrate Judge Michael Leavitt, also a former Yakima County Superior Court judge.

Hutton was replaced on the Yakima County bench by Michael McCarthy, who was appointed by then-Gov. Chris Gregoire. Before serving as a Superior Court judge,

Hutton was a civil trial attorney with Velikanje Moore & Shore, where his clients included the Yakima Herald-Republic.

As a federal magistrate judge, Dimke will preside over initial appearances and preliminary hearings in criminal cases, hear Social Security appeals, conduct naturalization ceremonies and hear civil cases if all parties agree.

Magistrate judges do not sit on felony cases and, unlike federal district court judges, do not have lifetime appointments, nor are they confirmed by the U.S. Senate.

A committee of attorneys and nonattorneys selected by the federal district judges review applicants for a magistrate's position, and send the names of five finalists to the judges for the final selection.

The magistrate judge also must pass FBI and IRS background checks.

The current salary for a magistrate judge is \$185,012.

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