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Judge Albright, Texas Patent Magnet, Leaving Bench in August (2)

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U.S. District Judge Alan Albright.
U.S. District Court for the Western District of Texas

Judge Alan Albright of the US District Court for the Western District of Texas is stepping down from the bench, two people familiar with his decision told Bloomberg Law on Tuesday.

Albright, who confirmed his departure, said he expects to leave at the end of August.

"For the past year or so I've really missed being in the courtroom as a trial lawyer," Albright said in a text message Tuesday night. "I've learned so much by being in the bench. I'm almost 67 and I felt like now was the right time to make the change."

His departure will create a vacancy in the Austin division, where Albright had pushed for an inter-division transfer from Waco in 2024 to be closer to home.

In Waco, Albright, a 2018 appointee of President Donald Trump became a magnet for patent suits. By 2021, nearly one in every four patent lawsuits were filed in his one-judge division. After outcry from several senators and Chief Justice John Roberts, the Western District's former chief judge issued an order requiring new patent suits filed in Waco to be randomly assigned throughout the district.

News of Albright's departure opens a new bench days after the Senate confirmed Trump's picks for two vacancies in the Western District. On Monday, the upper chamber confirmed Andrew Davis, a partner at Lehotsky Keller Cohn, to the Austin division by a 47-46 vote. On April 14, Chris Wolfe, a state court judge in Fort Worth, was confirmed to the Waco bench by a 53-47 vote. He takes the bench that opened when Albright left for Austin.

Albright said he waited to announce his departure until those seats were filled. He isn't yet eligible for senior status, an option many judges take at a certain age to maintain their full salaries while working less.

Albright on Wednesday is set to preside over a preliminary injunction hearing tied to the Texas Education Agency's policy of punishing teachers for commenting on the assassination of conservative political Charlie Kirk.

Later, he's set to hear a discovery dispute in a lawsuit from Council on American-Islamic Relations Texas challenging a declaration from Gov. Greg Abbott (R) that it's a terrorist organization.

(Updated with comments from Albright)

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