

The Judicial Council

FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of

Judicial Council Complaint No. DC-19-90023

**A Charge of Judicial
Misconduct or Disability**

Before: GARLAND, *Chief Judge*.

ORDER

Upon consideration of the complaint herein, filed against a judge of the United States Bankruptcy Court for the District of Columbia, it is

ORDERED that the complaint be dismissed for the reasons stated in the attached Memorandum.

The Circuit Executive is directed to send copies of this Order and accompanying Memorandum to the complainant, the subject judge, and the Judicial Conference Committee on Judicial Conduct and Disability. *See* 28 U.S.C. § 352(b); JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS (2019), RULE 11(g)(2).



Merrick B. Garland, Chief Judge

Date: 8/2/2019

MEMORANDUM

The complainant has filed a complaint of judicial misconduct against a judge of the United States Bankruptcy Court for the District of Columbia. For the following reasons, the misconduct complaint will be dismissed.

The complainant was the managing member of five limited liability corporations. All five of the corporations filed Chapter 11 voluntary petitions for bankruptcy and those cases were assigned to the subject judge. In 2016, with the consent of the parties, the subject judge dismissed the cases with prejudice. The complainant has now filed the instant judicial misconduct complaint against the subject judge.

The complainant asserts that:

Nowhere in the Constitution does it say that a mega law firm . . . and their clients. . . can force a person, namely me, to sign my rights away and threaten me by saying they will foreclose immediately on my business and freeze my bank accounts. Based on those actions, I did what they said, simply because I was afraid. . . . They . . . went to the Montgomery County Court and enforced the confessed judgment I signed The Maryland Court of Appeals honored it as well.

. . . This mega law firm told the [subject judge] that I threatened their lives. They used the Judges two-year Order of Protection to ruin me because when reviewing my case it showed every court and every judge that I was a criminal. . . .

I am requesting these lawyers be disbarred and imprisoned for their criminal acts and racist acts towards me. These lawyers became more comfortable and confident after the 2 year Order of Protection [that the subject judge] honored.

It appears from the above that the crux of the complainant's misconduct complaint is that the opposing lawyers in his bankruptcy proceeding, rather than the subject judge, acted improperly. The complaint does not allege any misconduct on the part of the subject judge. Accordingly, the complaint is dismissed because it is based on an allegation "lacking sufficient evidence to raise an inference that misconduct has occurred." JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS (2019), RULE 11(c)(1)(D); *see* 28 U.S.C. § 352(b)(1)(A)(iii).¹

¹ Pursuant to 28 U.S.C. § 352(c) and Judicial-Conduct Proceedings Rule 18(a), the complainant may file a petition for review by the Judicial Council for the District of Columbia Circuit. Any petition must be filed in the Office of the Circuit Executive for the D.C. Circuit within 42 days after the date of the dismissal order. JUDICIAL-CONDUCT PROCEEDINGS RULE 18(b).