

JUDICIAL COUNCIL
OF THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of
A Complaint of Judicial
Misconduct or Disability

Complaint No. DC-23-90049

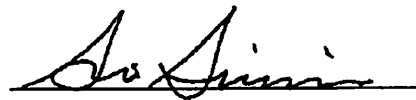
Before: Srinivasan, Chief Judge

ORDER

Upon consideration of the complaint herein, filed against a judge of the United States District 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).


Sri Srinivasan, Chief Judge

Date: 3/27/24

MEMORANDUM

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

Appearing pro se, the complainant filed a complaint in district court against a government agency for \$10 million. She alleged that, since 2013, she has “been trying to get [the agency] to investigate” her case “for Fraud and Corruption” but has “never received a response to [her] mail and online” submissions. The subject judge dismissed the complaint, concluding that “[j]urisdiction over a claim against the federal government for an amount exceeding \$10,000 lies exclusively in the Court of Federal Claims.” The judge further noted that, “[t]o the extent that Plaintiff seeks an investigation by [the agency,] such decisions are ‘generally committed to an agency’s absolute discretion,’ and ‘presumptively immune from judicial review.’” (Internal citations omitted).

The complainant has now filed a judicial misconduct complaint against the subject judge. The complainant alleges:

I took my case to the United State[s] District Court for the District of Columbia. Dismiss the Complaint for no Reason. I want my case to Trial in Washington DC Court. I want know Why [the judge] dismiss my case for Without Prejudice is Wrong Action.

In challenging the judge’s alleged lack of explanation for dismissing her complaint, the complainant is directly challenging the judge’s dismissal order. “Any allegation that calls into question the correctness of an official decision or procedural ruling of a judge – without more –

is merits-related.” JUD. CONF. RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, Rule 4(b)(1) Commentary ¶ 12. Such an allegation does not constitute “[c]ognizable misconduct” under the Judicial-Conduct Proceedings Rules or the applicable statute. *Id.* Accordingly, because the complaint is “based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred,” the complaint will be dismissed. JUDICIAL-CONDUCT PROCEEDINGS 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 of 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).