

JUDICIAL COUNCIL  
OF THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of  
A Complaint of Judicial  
Misconduct or Disability

Complaint No. DC-24-90005

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).

A handwritten signature in blue ink, appearing to read 'Sri Srinivasan', is written over a horizontal line.

Sri Srinivasan, Chief Judge

Date: June 7, 2024

**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.

The complainant, a member of the public, makes two allegations of judicial misconduct against the subject judge. First, the complainant alleges that the subject judge failed to take action on a judicial misconduct complaint, against a district court judge, that the complainant purportedly mailed to the subject judge. The complainant states that the subject judge's failure to act on the complaint demonstrates "Partisan Political Activity (C-5), Failure to Uphold the Integrity or Independence of the Judiciary (C-1), Impropriety or Appearance thereof (C-2), and/or Lack of Duties carried out Fairly, Impartial[ly], or Diligently (C-3)." Second, the complainant alleges that the judge has demonstrated bias against defendants charged with offenses related to the riot at the U.S. Capitol on January 6 and also against Donald Trump. Specifically, the complainant alleges that the judge's remarks at a university, "stating judges knew of [January 6] protests on 1.5.2021," demonstrate that "J6 was a Setup." Thus, the complainant asserts that the judge, "given the timeline, should have removed himself from all J6 cases or commenting directly or by inferences regarding Mr. Donald Trump before giving his stated . . . Talk."

As to the claim that the judge improperly failed to rule on a misconduct complaint against another district court judge, that allegation is without merit. Complaints against a district court judge "must be filed with the *circuit clerk* in the jurisdiction in which the subject

judge holds office.” JUD. CONF. RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, Rule 7(a)(1) (emphasis added). In this circuit, complaints of judicial misconduct are filed with the Circuit Executive’s Office. See D.C. CIRCUIT JUDICIAL CONDUCT RULE 7(a), Where to Initiate Complaint. Complaints of judicial misconduct are then considered by the chief judge of the court of appeals, not by a judge of the district court. See JUDICIAL-CONDUCT PROCEEDINGS RULE 3(a) (“Chief Judge’ means the chief judge of a United States court of appeals”) and RULE 11 (review of complaint by chief judge). Thus, because it is not the subject judge’s role to resolve complaints of judicial misconduct, this allegation “lack[s] sufficient evidence to raise an inference that misconduct has occurred.” JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(D); see 28 U.S.C. § 352(b)(1)(A)(iii).

As to the allegation that the judge’s remarks demonstrate bias against January 6 defendants and Donald Trump, that assertion is also without merit. As supposed evidence of bias, the complainant points to the judge’s statement that, “[o]n Jan. 5, all the judges were notified that there would be protests tomorrow.” The complainant asserts that this statement is evidence that the events of January 6 were a “Setup” and that the judge is an “Anti-Trump Operative.” The inference drawn by the complainant is baseless. By January 5, it was widely anticipated in public reports that protests would happen the next day. The complainant has failed to provide any evidence supporting her assertion that the judge’s comments demonstrate bias against any defendants charged with conduct related to January 6. Thus, this claim also lacks any evidence of judicial misconduct. JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(D); see 28 U.S.C. § 352(b)(1)(A)(iii).

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).<sup>1</sup>

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<sup>1</sup> 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).