

The Judicial Council

FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of

Judicial Council Complaint No. DC-14-90030

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 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 11(g)(2).


Merrick B. Garland, Chief Judge

Date: 2/2/15

MEMORANDUM

The complainants allege that a judge of the United States District Court for the District of Columbia engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts. The complainants' allegations arise out of an action they filed against the District of Columbia Housing Authority (DCHA) that was assigned to the subject judge. The judge granted the defendant's motion to dismiss, concluding that the complainants "fail[ed] to demonstrate that they have suffered any actual injury arising from the DCHA's action or inaction" and so "lack standing to pursue their purported claims."

The complainants allege that the judge dismissed their case "without any legal grounds." This allegation "must be dismissed" because it "is directly related to the merits of a decision or procedural ruling." JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS 11(c)(1)(B). The complainants' further allegation that the judge "is discriminating against [them] because they are disabled, black, sex and/or self-represented person" lacks "sufficient evidence to raise an inference that misconduct has occurred" and so must also be dismissed. *Id.*, RULE 11(c)(1)(D). *See generally* 28 U.S.C. § 352(b)(1)(A)(ii), (iii).¹

¹ Pursuant to 28 U.S.C. § 352(c) and Judicial-Conduct 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 35 days of the date of the Circuit Executive's letter transmitting the dismissal Order and this Memorandum. JUDICIAL-CONDUCT RULE 18(b).