

The Judicial Council

FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of

Judicial Council Complaint No. DC-15-90020

A Charge of Judicial Misconduct or Disability

Before: GARLAND, *Chief Judge*.

ORDER

Upon consideration of the complaint described 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: 10/7/15

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 complaint will be dismissed.

The complainant filed a lawsuit in the United States District Court, alleging that several federal, state, and local officials had committed “armed robbery, attempted murder, racketeering, extortion, drug trafficking, refusal of witness protection, multiple violent crimes, moral turpitude, conduct unbecoming, etc.” The complainant requested that the defendants be prosecuted for their alleged offenses and demanded one billion dollars, a Presidential Medal of Freedom with distinction, and a Nobel Peace Prize. The case was assigned to the subject judge, who found that “[w]holly absent from the complaint is a statement of a claim showing that the plaintiff is entitled to any relief as against these defendants,” and therefore dismissed the civil complaint pursuant to Federal Rule of Civil Procedure 8(a).

The complainant then filed the instant complaint of judicial misconduct against the subject judge. The misconduct complaint alleges that the judge “caus[ed] the public to question the honesty, integrity, impartiality, and fitness of the judiciary; by failing to make any corrective action or even open an investigation into [the] host of felony crimes” alleged in his civil complaint. Because this allegation “is directly related to the merits” of the judge’s decision to dismiss the complainant’s civil complaint, it does not constitute cognizable misconduct, JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-

DISABILITY PROCEEDINGS, RULE 3(h)(3), and his misconduct complaint must therefore be dismissed, *id.* JUDICIAL-CONDUCT RULE 11(c)(1)(B). *See* 28 U.S.C. § 352(b)(1)(A)(ii).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).