

The Judicial Council

FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of

Judicial Council Complaint No. DC-17-900011

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
District of Columbia Circuit

Date: 8/30/17

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 brought a case in the U.S. District Court for the District of Columbia against numerous defendants relating to an incident at the school where the complainant's son was enrolled. The case was assigned to the subject judge. The complainant had previously filed a similar civil action in the Superior Court of the District of Columbia, which dismissed that case for failure to state a claim. In the case brought in U.S. District Court, the subject judge granted the defendants' motion to dismiss, finding that the complaint failed to state a claim upon which relief could be granted because all of the claims were barred by res judicata.

The complainant then filed a judicial misconduct complaint against the subject judge, alleging that the judge "conspired" with the defendants in the U.S. District Court case, "conspired to threaten" him and his son, and improperly "use[d] his elected position." The misconduct complaint proffers no evidence in support of these allegations. Accordingly, the allegations "lack[] sufficient evidence to raise an inference that

misconduct has occurred” and must be dismissed. JUDICIAL-CONDUCT 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 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 of the date of the Circuit Executive’s letter transmitting the dismissal Order and this Memorandum. JUDICIAL-CONDUCT RULE 18(b).