The Judicial Council

FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of **Judicial Council Complaint No. DC-17-90012**

A Charge of Judicial Misconduct or Disability

Before: GARLAND, *Chief Judge*.

ORDER

Upon consideration of the complaint herein, and the supplements thereto, 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: 1/9/18

No. DC-17-90012

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 was involved in four cases before the subject judge that were related to the foreclosure on the complainant's real property in the District of Columbia. In the first case, the complainant sought to remove the case from the Superior Court of the District of Columbia, but the judge remanded the case to Superior Court based on a defect in the removal procedure. In the second case, the judge entered a default judgment against the complainant and enjoined him from making any subsequent filings without first seeking leave of the court. In the third case, the judge dismissed the case as moot, finding that, because a non-judicial foreclosure had been pursued to completion, the sole claim for judicial foreclosure was no longer live. Thereafter, the judge directed the Clerk of Court not to accept any further filings in that case. In the fourth case, the judge remanded the case to Superior Court because the complainant had been enjoined from filing without prior leave of the court and because the complainant had failed to establish a basis for removal.

The complainant has now filed a judicial misconduct complaint against the subject judge, alleging as follows:

> I filed documents in which I used .03 cents stamps on the actual page of each document, properly cancelled dated and sealed invoking International

> Law. [The subject judge] [d]enied these and subsequent filings as numerous, frivolous and unintelligible pleadings to the Court. She has violated all my due process right to include my first amendment right to freedom of speech and my unalienable Human rights. She has with the Attorneys manipulated the situation to their advantage without ever giving a chance to prove that the foreclosure documents the attorneys used were all altered photocopies, violating estate trust. Several times prior to my invoking international law my motions and pleadings to include an in camera hearing would go unanswered by [the subject judge], but the moment the attorneys filed new admissions mine would immediately be denied and theirs would be granted. . . . I believe an appropriate investigation is needed as [the subject judge] has committed treason and has violated the Smith act.

All of these allegations are "directly related to the merits" of the subject judge's multiple decisions and procedural rulings. Accordingly, they do not constitute "cognizable misconduct" under the Judicial-Conduct Rules and must be dismissed. JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, RULES 3(h)(3)(A), 11(c)(1)(B); *see* 28 U.S.C. § 352(b)(1)(A)(ii).[1]

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[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 after the date of the dismissal order. JUDICIAL-CONDUCT RULE 18(b).