

# The Judicial Council

FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of

Judicial Council Complaint No. DC-18-90091

**A Charge of Judicial  
Misconduct or Disability**

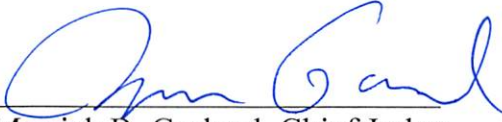
Before: GARLAND, *Chief Judge*.

## **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 (2019), RULE 11(g)(2).

  
Merrick B. Garland, Chief Judge

Date: 4/29/19

**MEMORANDUM**

The complainant has filed a complaint of judicial misconduct against a judge of the United States District Court for the District of Columbia. The misconduct complaint will be dismissed for the following reasons.

In December 2017, the complainant filed a Freedom of Information Act case against a federal government agency. In February 2018, the subject judge ordered the complainant to file an amended complaint containing his full residence address or a motion setting forth reasons to use a P.O. box address. In March 2018, the complainant filed a motion to use a P.O. box address, and, in November 2018, he filed an amended complaint.

In December 2018, the complainant filed the instant judicial misconduct complaint, naming the subject judge. The misconduct complaint alleges that “the U.S. District Court for the District of Columbia has refused and is refusing to assign this suit to a District Judge,” and suggests that, in so doing, “the Court, or its personnel” acted with racial bias. Because this allegation “lack[s] sufficient evidence to raise an inference that misconduct has occurred,” it will be dismissed. JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS (2019), RULE 11(c)(1)(D); *see* 28 U.S.C. § 352(b)(1)(A)(iii). It should be noted, however, that the district court has now granted the complainant’s motion to use a post office box as his mailing address, granted

his motion for leave to proceed in forma pauperis, and reassigned his case to another district court judge.<sup>1</sup>

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<sup>1</sup> 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).