

JUDICIAL COUNCIL  
OF THE DISTRICT OF COLUMBIA CIRCUIT

**In the Matter of  
A Complaint of Judicial  
Misconduct or Disability**

**Complaint No. DC-22-90010**

Before: Srinivasan, 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).

A handwritten signature in blue ink, appearing to read 'Sri Srinivasan', is written over a horizontal line.

Sri Srinivasan, Chief Judge

Date: January 11, 2023

**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, a member of the public with no discernible relationship to the subject judge or any cases before him, has filed the instant judicial misconduct complaint against the judge, alleging that his conduct has demonstrated “bias and prejudice on the basis of political affiliation.” As ostensible evidence of that bias, the complainant asserts that the subject judge has “permit[ed] various newspapers to refer to [the subject judge] as ‘Trump’s nemesis.’” The complainant further claims that, because the subject judge is a member of the Foreign Intelligence Surveillance Court (FISA court), he must be able to view documents submitted by the FBI to targets of their surveillance. In that regard, the complainant alleges that, “[i]f [the subject judge] is viewing Oath Keeper confidential information at the FISA court before ruling on Oath Keepers on the capital, that political affiliation bias manifests.” Finally, the complainant cites a blog post allegedly written by the subject judge’s spouse. According to the complainant, the blogger wrote: “I can’t explain how the same polity that celebrated the extension of full marriage rights to all co-exists with the Westboro Baptist Church, or Kim Davis and her jumpers. I certainly can’t explain Donald Trump.”

The complainant’s assertion that the subject judge harbors a bias against certain parties based on political affiliation “lacks sufficient evidence to raise an inference that misconduct has occurred.” JUD. CONF. RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS (2019), Rule

11(c)(1)(D); *see* 28 U.S.C. § 352(b)(1)(A)(iii). The complainant gives no reason to suppose that the way in which the media may refer to the subject judge is something within the judge's control. Moreover, the complainant has provided no evidence other than her own unsupported speculation that the subject judge improperly used his role on the FISA court to gather information about parties involved in matters before him. And finally, the statements in a blog post attributed to the judge's spouse do not constitute evidence of bias on the part of the judge. Accordingly, the complaint fails to demonstrate that misconduct has occurred and will be dismissed. JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(B); *see* 28 U.S.C. § 352(b)(1)(A)(ii).<sup>1</sup>

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<sup>1</sup> Pursuant to 28 U.S.C. § 352(c) and JUDICIAL-CONDUCT PROCEEDINGS 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 PROCEEDINGS RULE 18(b).