

JUDICIAL COUNCIL
OF THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of
A Complaint of Judicial
Misconduct or Disability

Complaint No. DC-22-90038
DC-22-90039
DC-22-90040

Before: Srinivasan, Chief Judge

ORDER

Upon consideration of the complaint herein, filed against three judges 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 judges, 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).


Sri Srinivasan, Chief Judge

Date: May 10, 2023

No. DC-22-90038
No. DC-22-90039
No. DC-22-90040

MEMORANDUM

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

The complainant filed four complaints in the district court. Her first two complaints were dismissed for failure to state a claim. Her third complaint was dismissed without prejudice by subject judge DC-22-90038. Subject judge DC-22-90038 dismissed the complaint for failure to satisfy the pleading standard of Rule 8(a), noting that the “ambiguous and rambling allegations comprising the complaint fail to provide adequate notice of a claim” and that the complaint “also fails to set forth allegations with respect to this court’s jurisdiction, or a valid basis for an award of damages.” The court of appeals affirmed the order dismissing the complaint.

The complainant then filed a fourth complaint. Acting on the complainant’s motions to proceed in forma pauperis and for appointment of counsel, subject judge DC-22-90039 granted the motion to proceed in forma pauperis and denied without prejudice the motion for appointment of counsel. Subject judge DC-22-90039 noted that “no defendant can be expected to decipher what claim(s) plaintiff attempts to bring or to prepare a meaningful response to the complaint.” Thus, subject judge DC-22-90039 directed the complainant to file an amended complaint, not to exceed 15 pages, in accordance with the Federal Rules of Civil Procedure and the Local Civil Rules. The complainant was granted a 30-day extension to file

the amended complaint. The complainant then filed two additional extension motions to file nunc pro tunc a 69-page amended complaint and additional exhibits in support of her request to late-file the amended complaint. Subject judge DC-22-90040 denied both motions, stating that “amendment would be futile” as the amended complaint was “equally as defective as the first, and for the same reasons.” Subject judge DC-22-90040 thus dismissed the complaint without prejudice.

The complainant has now filed the instant judicial misconduct complaint. The complainant asserts that her first three cases were inappropriately assigned “to only afroamerican women . . . that hate me” and that subject judge DC-22-90038 is discriminating against her because she is “not dark skinned.” She further alleges that subject judge DC-22-90039 “did same discrimination of disabled American born denying motion crt app counsel.” As for subject judge DC-22-90040, the complainant makes no specific allegation of wrongdoing by that subject judge.

To the extent the complainant alleges that subject judges DC-22-90038 and 90039 discriminated against her, the allegation is entirely unsubstantiated. The allegation is supported by nothing more than the complainant’s own evident beliefs. Thus, the allegation “lack[s] 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).

To the extent that the complainant alleges that the subject judges were somehow involved in what she believes to have been the improper assignment of her cases to certain

judges, the complainant has not demonstrated that any cognizable misconduct occurred, let alone any misconduct attributable to any of the subject judges. This allegation therefore “lack[s] sufficient evidence” of misconduct.

Finally, the complainant has failed to allege any specific wrongdoing on the part of subject judge DC-22-90040 and there is thus no evidence to suggest that he has engaged in misconduct.

Accordingly, because the complaint “lack[s] sufficient evidence to raise an inference that misconduct has occurred,” it will be dismissed. JUDICIAL-CONDUCT PROCEEDINGS 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 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).