

JUDICIAL COUNCIL  
OF THE DISTRICT OF COLUMBIA CIRCUIT

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

**Complaint Nos. DC-23-90002  
DC-23-90003  
DC-23-90004  
DC-23-90005  
DC-23-90006**

Before: Srinivasan, Chief Judge

**ORDER**

Upon consideration of the complaints herein, filed against two judges of the United States District Court for the District of Columbia and three judges of the United States Court of Appeals for the District of Columbia Circuit, it is

**ORDERED** that the complaints 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: November 15, 2023

No. DC-23-90002  
No. DC-23-90003  
No. DC-23-90004  
No. DC-23-90005  
No. DC-23-90006

## MEMORANDUM

The complainant has filed complaints of judicial misconduct against two judges of the United States District Court for the District of Columbia and three judges of the United States Court of Appeals for the District of Columbia Circuit. For the following reasons, the misconduct complaints will be dismissed.

The complainant filed in the district court a complaint against various public officials and private individuals, all of whom appear to reside and work outside of the District of Columbia. A district court judge *sua sponte* ordered that the case be transferred to the appropriate district court, reasoning that “[n]othing is alleged to have occurred in the District of Columbia; therefore, this venue is improper . . . .” Shortly thereafter, the case was electronically transferred.

After the transfer, the complainant filed in this district court a motion to alter judgment, seeking reconsideration of the transfer order. The district court judge (subject judge I) entered a minute order striking the complainant’s motion. The court noted that, “[p]ursuant to the transfer order, this case was physically removed on December 30, 2020, thereby depriving this court of jurisdiction.”

The complainant appealed, challenging the minute order striking his motion to alter judgment. The complainant then attempted to file in this district court an amended motion to alter judgment. The district court judge (subject judge II) denied leave to file the motion, and

the complainant then filed a notice of appeal of that denial. The two appeals were consolidated. The complainant then sought leave to proceed in forma pauperis on appeal, which subject judge II granted.

The court of appeals' panel (subject judges III, IV, and V) construed the notices of appeal as petitions for writs of mandamus and denied the petitions. The court of appeals determined that, to the extent the complainant sought to challenge the transfer of his case, the court lacked jurisdiction to hear the petition. The court of appeals further concluded that, to the extent the complainant sought an order seeking to compel the district court to file his motions to alter judgment and his amended motion to alter judgment, the complainant had not demonstrated a clear and indisputable right to such relief.

The complainant has now filed the instant misconduct complaints against the two subject district judges and the three subject appellate judges. As to the subject district judges, the identical complaints allege in their entirety: "The district Court Judge failed to uphold the integrity of her office by allowing another District Judge to overturn her in forma pauperis order, only a[n] appeal Court can overturn her order." As to the subject appellate judges, the identical complaints allege in their entirety: "The Circuit Court Judge failed to uphold the integrity of his office by allowing another District Judge to overturn his in forma pauperis order only a[n] Appeal Court can overturn his order."

The complainant has failed to provide any evidence to demonstrate that the subject judges engaged in misconduct in their handling of his motion to proceed in forma pauperis. The only subject judge to consider a motion to proceed in forma pauperis was subject judge II,

and he granted the motion to proceed in forma pauperis on appeal. Accordingly, the complaints “lack[] sufficient evidence to raise an inference that misconduct has occurred,” and will be dismissed. See JUD. CONF. RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, Rule 11(c)(1)(D); 28 U.S.C. § 352(b)(1)(A)(iii).<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).