

JUDICIAL COUNCIL
OF THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of
A Complaint of Judicial
Misconduct or Disability

Complaint No. DC-24-90010

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: June 14, 2024

No. DC-24-90010

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 filed suit against the head of a government agency and one of its contractors. The contractor filed a motion to dismiss for lack of subject matter jurisdiction. The complainant then filed a flurry of motions, including a motion to transfer the case to another district court and a motion for recusal. In response to the voluminous number of motions the complainant attempted to file, the subject judge enjoined the complainant from filing any additional papers with the court prior to an upcoming hearing. The judge subsequently: denied the complainant's motion for recusal; granted the contractor's motion to dismiss, as the contractor had immunity; and granted the complainant's motion to transfer to another district court.

The complainant has now filed a judicial misconduct complaint against the subject judge. The statement of facts reads in its entirety:

[The judge] involved in judicial mental disability & criminal behavior allowing his court clerk [] & his dep admin [] to destroy evidences of proof of services upon DOJ so proven US Atty [] file non service notice\ [US Attorney] being served well goes in [the judge's] ct without proper motion asks for dismissal of said case in frauds when he know that is frauds. [The judge] admits [the US Attorney] to [the] hearing.

The complainant goes on to say "There are 5 pages of explanation of obstruction of justice and US mail tampering."

While it is difficult to discern the nature of the misconduct allegations, it appears the complainant alleges that the judge somehow allowed court staff to destroy evidence of his proof of service on the defendants. The complaint, however, fails to provide any evidence supporting that allegation. The complaint also includes dozens of pages of attachments containing numerous unsupported assertions by the complainant, but the complaint does not identify the relevance of the attachments or point to any specific items in the attachments as bearing on any allegations of misconduct. The applicable rules specifically provide that “[t]he statement of facts must include the page(s) of the documents that the complainant believes supports the allegations in the complaint. Allegations made in exhibits or attachments to the complaint will not be considered. Only documents referred to in the statement of facts may be filed with the complaint.” D.C. CIRCUIT JUDICIAL MISCONDUCT RULE 6(b).

Accordingly, because the complaint is “based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred,” the complaint will be dismissed. JUD. CONF. RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, Rule 11(c)(1)(D); *see* 28 U.S.C. § 352(b)(1)(A)(iii).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 of 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).