

JUDICIAL COUNCIL
OF THE DISTRICT OF COLUMBIA CIRCUIT

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

Complaint No. DC-24-90028

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).


Sri Srinivasan, Chief Judge

Date: March 12, 2025

MEMORANDUM

The complainant has filed a second complaint of judicial misconduct against a judge of the United States District Court for the District of Columbia. The previous complaint was dismissed, and for the following reasons, the present misconduct complaint will also be dismissed.

The complainant was found not guilty by reason of insanity of damaging a public bus and arson. After a hearing to determine his eligibility for release, the trial judge found that the complainant suffered from a mental illness, and that, if he were released, he would pose a substantial risk of injury to others or damage to the property of others due to his mental illness. The complainant was committed to the custody of the Attorney General and was subsequently transferred to a Federal Medical Center (FMC), where he received psychiatric treatment and treatment for his physical disabilities. Subsequently, the case was reassigned from the trial judge to the subject judge.

In 2015, after a hearing, the subject judge denied a recommendation for conditional release. In 2018, the complainant again sought conditional release. FMC reported that the complainant continued to suffer from Delusional Disorder, for which he was prescribed intramuscular medication under an involuntary medication protocol. The report further stated that, while unconditional release would continue to pose a substantial risk of bodily injury to a person or serious damage to the property of another, the complainant was suitable for conditional release under conditions that would mitigate his

risk of future violence. The subject judge granted the complainant a conditional release permitting him to reside in the community under certain restrictions, including that he continue his psychiatric treatment and medication.

In 2019, the complainant sought to modify the conditions of his release so that he could be permitted to move to alternative housing and that he be able to visit the community unaccompanied, for up to six hours per week, to engage in educational, therapeutic, and rehabilitative pursuits. Based on recommendations from U.S. Probation and the organization that operates the complainant's group residence, the subject judge issued a modified order for conditional release. A little over a year later, and then again in 2022 and 2023, the complainant again sought to modify the conditions of his release to permit him additional unaccompanied time in the community. Based on the recommendations of all parties, the subject judge granted all three requests to modify the conditions of release and increase the complainant's unaccompanied time in the community. As part of the modified conditions each time, the subject judge determined that the complainant was to continue to receive psychiatric treatment and medication, including administration of the prescribed intramuscular medication.

The complainant has now filed his second judicial misconduct complaint against the subject judge. As in his first misconduct complaint, the complainant again alleges that the subject judge engaged in partisan political activity by taking "2 mysterious trips" to Texas, the home of Presidents George H.W. Bush and George W. Bush, shortly before his conditional release hearings. The complainant further alleges that the judge

improperly disregarded evidence that the complainant was being overmedicated and that the judge “enabl[ed] [the government psychiatrist]’ by looking the other way acting like ‘OSTRICH.’” The complainant again asserts that the judge is complicit in a “Continued Criminal Enterprise” that seeks to assassinate the complainant. The complainant also claims that the judge improperly denied his initial 2015 motion for conditional release, thus improperly delaying his release and holding him “hostage”. Finally, the complainant alleges that the subject judge engaged in inappropriate ex parte communications with “parties or counsel for one side”, “violated rules of standards pertaining to restrictions on outside income,” and intentionally “discriminat[ed against him] on the basis of race, national origin and disability by subjecting me to unending torture with injection of powerful pernicious psychotropic drugs.”

As was the case with the complainant’s first misconduct complaint, it appears that the complainant is primarily challenging the subject judge’s 2015 denial of conditional release, the requirement that the complainant continue medication while on conditional release, and the overall length of the complainant’s confinement. These allegations go to the merits of the subject judge’s decisions concerning the complainant’s requests for conditional release. Because the allegations “call[] into question the correctness of [the] judge’s rulings,” they do not constitute “[c]ognizable misconduct” under the Judicial-Conduct Proceedings Rules or the applicable statute. JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS (2019), Rule 4(b)(1); *see* 28 U.S.C. § 352(b)(1)(A)(ii).

To the extent the complainant is alleging that the subject judge was complicit in a criminal enterprise, made suspicious trips to Texas, engaged in ex parte contacts, violated the restrictions on outside income, and discriminated against him, those claims are also dismissed. The complainant has failed to provide any support for his allegations other than his own beliefs. Thus, the allegations “lack[] sufficient evidence to raise an inference that misconduct has occurred,” JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(D), and must also be dismissed.

Accordingly, because the complaint “is directly related to the merits of [the judge’s] decision[s]” and is “based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred,” the complaint will be dismissed. JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(B) & (D); *see* 28 U.S.C. § 352(b)(1)(A)(ii) & (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 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).