

JUDICIAL COUNCIL  
OF THE DISTRICT OF COLUMBIA CIRCUIT

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

**Complaint No. DC-24-90031**

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 28, 2025

**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, this misconduct complaint will be dismissed.

The complainant is a “concerned citizen” who seeks to challenge the length of the sentence the subject judge imposed on a criminal defendant. The defendant and her co-defendants were charged by indictment with formulating a scheme to unlawfully enter and occupy a reproductive health clinic located in the District of Columbia under false pretenses and for political purposes. The indictment alleged that the defendants’ acts led to the injury of clinic staff and deprived patients of their right to access healthcare guaranteed by federal law. After a bench trial, the defendant was convicted of conspiracy against rights in violation of 18 U.S.C. § 241 and clinic-access obstruction in violation of 18 U.S.C. § 248. The subject judge found that the defendant “intentionally injured, intimidated, and interfered with Patient A and clinic employees through force and physical obstruction.” The judge sentenced the defendant to 24 months of incarceration and 36 months of supervised release.

The complainant has filed a judicial misconduct complaint against the subject judge, questioning the length of the defendant’s sentence. The complainant alleges that other individuals have engaged in similar protests but have not served a term of imprisonment. The complainant also asserts that the defendant’s sentence “may be

viewed as persecution of Christians.” As evidence of the ostensible religious discrimination, the complainant asserts that, in response to the statement of the defendant’s husband’s that he feared the defendant would die in prison alone, the subject judge stated that the defendant should “make an effort to stay alive . . .” because it is a “. . . tenant [sic] of [the defendant’s] religion.” Furthermore, the complainant notes that the subject judge “is a presiding judge on the FISA [Foreign Intelligence Surveillance Act] court.”

The complainant’s challenge to the length of the defendant’s sentence amounts to a direct challenge to the merits of the subject judge’s sentencing order. “Any allegation that calls into question the correctness of an official decision or procedural ruling of a judge – without more – is merits-related.” JUD. CONF. RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, Rule 4(b)(1) Commentary ¶ 12. Such an allegation does not constitute “[c]ognizable misconduct” under the Judicial-Conduct Proceedings Rules or the applicable statute. *Id.*

The complainant also contends that the subject judge’s reference to the defendant’s religion and the fact that the judge was “a presiding judge on the FISA court,” suggests an improper motive behind the judge’s sentencing decision. At sentencing, the subject judge commented that the defendant has “a very loving relationship” with her family and husband and urged her “to do the things that you need to do survive, because that’s part of the tenets of your religion, and it’s something that I would think you would want to do for your husband, so that during this period of time,

once you get released, the two of you can be back together.” In that context, the judge’s reference to the tenets of defendant’s religion is insufficient to raise an inference of misconduct. *See* JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(D); 28 U.S.C. § 352(b)(1)(A)(iii). Moreover, the fact that the judge once served on the FISA court (her service ended more than 15 years ago) provides no evidence of misconduct in this case.

Accordingly, because the complaint is “directly related to the merits of a decision” 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).<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).