

JUDICIAL COUNCIL  
OF THE DISTRICT OF COLUMBIA CIRCUIT

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

**Complaint No. DC-24-90029  
DC-24-90048**

Before: Srinivasan, Chief Judge

**ORDER**

Upon consideration of the complaints herein, and the supplement thereto, filed against a judge of the United States District Court for the District of Columbia, 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 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

No. DC-24-90029  
No. DC-24-90048

### **MEMORANDUM**

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

The complainant filed a Freedom of Information Act complaint against fourteen government entities. The case was assigned to the subject judge. The complainant then filed a flurry of motions, including a motion for a temporary restraining order, a motion for interim emergency relief, a motion for status update, a motion for recusal, and a motion requesting the U.S. Marshals Service to serve his complaint on the defendants.

The complainant then filed his first judicial misconduct complaint, alleging that the subject judge had refused to respond to certain of his motions. By the time of the filing of the misconduct complaint, the subject judge denied several of the complainant's motions. The complainant then filed another series of motions and notices, including multiple motions for a temporary restraining order, which were denied. The complainant also moved to recuse the subject judge, which the subject judge denied. The government ultimately filed a motion to dismiss, which remains pending. The complainant has now filed a second judicial misconduct complaint against the subject judge, again alleging that the judge continued to delay ruling on his motions.

With respect to the complainant's allegations in his first misconduct complaint that the subject judge improperly delayed ruling on his motion motion requesting the U.S. Marshal Service to serve his complaint, his motion for interim emergency relief, and his first motion for a

temporary restraining order, “[c]ognizable misconduct does not include an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases.” JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS (2019), Rule 4(b)(2). The complainant has not identified delay in a “significant number of unrelated cases,” and in this first complaint he does not allege that the delays were the result of an improper motive. Moreover, the subject judge ruled on these motions within weeks. Thus, the complainant’s unsupported allegations of delay in No. DC-24-90029 “lack[] sufficient evidence to raise an inference that misconduct has occurred,” and that complaint will be dismissed. JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(D); 28 U.S.C. § 352(b)(1)(A)(iii).

With respect to complainant’s allegations in his second misconduct complaint that the subject judge continued to delay ruling on his motions, the complainant has again failed to identify delay in a “significant number of unrelated cases.” In the second complaint the complainant does seem to suggest that the alleged delay was the result of an improper motive, as he states that the subject judge had a close relationship with then-Attorney General, was a member of a Jewish organization, and was ostensibly acting to protect the United States Attorney and a deceased former judge. These unsubstantiated allegations, however, are not evidence of an improper motive. The unsupported allegations of delay therefore “lack[] sufficient evidence to raise an inference that misconduct has occurred.” JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(D); 28 U.S.C. § 352(b)(1)(A)(iii).

To the extent the supplement to complainant’s second complaint also challenges the subject judge’s denial of his recusal motion, that allegation also lacks merit. “Any allegation that calls into question the correctness of an official decision or procedural ruling of a judge –

without more – is merits-related.” JUDICIAL-CONDUCT 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. JUDICIAL-CONDUCT PROCEEDINGS RULE 4(b)(1) (“Cognizable misconduct does not include an allegation that calls into questions the correctness of a judge’s ruling, including a failure to recuse.”) Here, the complainant challenges the correctness of the subject judge’s order denying recusal (and the fact that it was issued pursuant to a minute order). Thus, this allegation also “lack[s] sufficient evidence to raise an inference that misconduct has occurred.” JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(D); *see* 28 U.S.C. § 352(b)(1)(A)(iii).

Accordingly, complaint No. DC-24-90048 will also be dismissed. JUDICIAL-CONDUCT 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).