

JUDICIAL COUNCIL
OF THE DISTRICT OF COLUMBIA CIRCUIT

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

Complaint No. DC-25-90002

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: May 7, 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 sued a federal agency and several of its officials in district court, alleging that the agency abused its power and discriminated against him and that doctors violated his rights by filling out his medical forms erroneously. The subject judge *sua sponte* dismissed the complaint without prejudice on the grounds that it contained a “confused and rambling narrative of charges” in violation of Federal Rule of Civil Procedure 8(a) and that the defendants are entitled to sovereign immunity.

On appeal, the court of appeals affirmed. The court stated that “Appellant’s complaint did not set forth ‘a short and plain statement of the claim showing that the pleader is entitled to relief,’ which is required in order to ‘give the defendant fair notice of what the . . . claim is and the grounds upon which it rests.’” The court further explained that “[u]sing the complaint form provided by the district court is not alone sufficient to satisfy this requirement. The district court also concluded that appellant failed to plead or establish a waiver of sovereign immunity in this case, and appellant has forfeited any challenge to that holding by not addressing it in his brief.”

After filing his notice of appeal but before the court of appeals issued its decision, the complainant filed a judicial misconduct complaint against the subject judge. The

complainant appears to be arguing that the judge continued the pattern of discriminatory behavior that he alleged in his underlying lawsuit. The complainant states that the judge “in a refined manner goes on a pattern of more gross discrimination disposing of the claim I submitted first because that was how they are pre conceived to handle my claims.” The complainant further alleges that the judge “is abusing of her power” and “is detracting (to take away the value or importance) the abuse I have had to endure from lawyers acting all as public officials, working the system or with the system.”

To the extent the complainant is alleging that the subject judge improperly dismissed his complaint, that allegation is a direct challenge to the merits of the judge’s dismissal order. “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 allegations do not constitute “[c]ognizable misconduct” under the Judicial-Conduct Proceedings Rules or the applicable statute. *Id.* As for the complainants’ assertions that the subject judge has engaged in an “abuse of power” or “discrimination,” the complainant presents no evidence of misconduct other than his own unsubstantiated beliefs.

Accordingly, because the complaint 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)(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 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).