

JUDICIAL COUNCIL
OF THE DISTRICT OF COLUMBIA CIRCUIT

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

Complaint No. DC-25-90014

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: February 13, 2026

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 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 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 health care. 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 defendant's conviction was later dismissed as moot after she received an unconditional pardon from the President.

The complainant has filed a judicial misconduct complaint against the subject judge, questioning the length of the defendant's sentence. The complainant alleges the judge's remarks at sentencing "may be perceived as dismissive and lacking empathy, especially given the serious health concerns presented" and that "[t]he sentence imposed

appears excessively harsh considering the defendant's age, health condition, and the nonviolent nature of the offense." The complainant further asserts that "[t]he judge's comments and the severity of the sentence may raise questions about impartiality and respect for the dignity of the defendant." In that connection, the complainant asserts that, in response to the statement of the defendant's husband expressing concern for his wife's deteriorating health and the potential risks of incarceration, the subject judge stated that the defendant should "make every effort to remain alive, to do the things that need to do to survive, because that's part of the tenets of [the defendant's] religion."

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 statements at sentencing, and the length of sentence itself, "may raise questions about impartiality." 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 statements do not raise any inference of misconduct. *See* JUDICIAL-CONDUCT PROCEEDINGS RULE 11(c)(1)(D); 28 U.S.C. § 352(b)(1)(A)(iii).

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).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).