

23-90052-jm  
August 28, 2025  
Acting Chief Judge & Judicial Council

**JUDICIAL COUNCIL OF THE  
SECOND CIRCUIT**

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In re  
CHARGE OF JUDICIAL MISCONDUCT                      Docket No. 23-90052-jm

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Before the Judicial Council of the Second Circuit:\*

This order is issued, in part, by the Judicial Council of the Second Circuit, acting pursuant to Rule 10(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings (the “Rules”), and, in remaining part, by Acting Chief Circuit Judge Richard J. Sullivan pursuant to Rules 11 & 25(f).

Rule 10(a) authorizes the Council to sanction an abusive complainant. It provides in full:

A complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints. After giving the complainant an opportunity to show cause in writing why his or her right to file further complaints should not be limited, the judicial council may prohibit, restrict, or impose conditions on the complainant’s use of the complaint procedure. Upon written request of the complainant, the judicial council may revise or

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\* Chief Judge Debra A. Livingston, Judge Raymond J. Lohier, Jr., and Judge Michael H. Park took no part in the consideration of this matter.

withdraw any prohibition, restriction, or condition previously imposed.

On April 30, 2024, the Complainant was “ordered to show cause . . . why his right to file further complaints should not be limited.” This order was prompted by the Complainant’s pattern of filing repetitive and frivolous judicial misconduct complaints. Since 2020, the Complainant has filed at least six abusive and frivolous misconduct complaints, alleging that various judges are part of a racist conspiracy against him, as evidenced by, among other things, the judges’ refusal to acknowledge the Complainant’s “grand unified theorem,” a discovery the Complainant likens to Albert Einstein’s discovery of  $e=mc^2$ . Five of the complaints were dismissed as wholly unsupported, and in 2023 the Complainant was warned that further abuse of the judicial misconduct complaint process may result in the imposition of sanctions or conditions on its use. The outstanding complaint (23-90052-jm) is dismissed herein by the Acting Chief Circuit Judge as set forth further below.

The Complainant’s response to the order to show cause—which, with attachments, is 270 pages—is frivolous, mostly consisting of unsupported claims of racism and bias. Accordingly, the Complainant “demonstrates no awareness of the frivolous and vexatious nature of his prior complaints.” *In re Sassower*, 20

F.3d 42, 43–44 (2d Cir. Jud. Council 1994). These circumstances reveal a “likelihood that such abuse of the complaint procedure will continue unless some protective procedures are instituted.” *Id.* at 44.

Those who abuse the judicial complaint procedure may be restricted in their opportunity to initiate new misconduct complaints. Rule 10(a); *In re Sassower*, 20 F.3d at 44. A “‘leave to file’ requirement, foreclosing the filing and normal processing of a misconduct complaint unless leave to file has first been obtained . . . is the appropriate first level of sanction to be imposed on a person who abuses the misconduct procedure by filing a series of frivolous and vexatious complaints. The integrity of the misconduct complaint procedure, a matter of importance to all persons with a legitimate basis for making a complaint within the scope of [28 U.S.C. §§ 351-364], will best be maintained by imposing a ‘leave to file restriction’ on those who abuse this procedure.” *In re Sassower*, 20 F.3d at 44.

We conclude now that the Complainant’s pattern of repetitive, harassing, and frivolous misconduct complaints merits the imposition of a leave-to-file requirement. As in *Sassower*, the Complainant’s complaints repeatedly have been dismissed as baseless.

Accordingly, it is hereby ORDERED that the Complainant shall not file in the Second Circuit any subsequent judicial misconduct complaints without first obtaining leave to file. The Clerk is directed to return to the Complainant, unfiled, any judicial misconduct complaint or document related thereto submitted by the Complainant that is not accompanied by an application seeking leave to file. If leave to file is granted, the complaint shall be filed and processed in the normal course; if leave to file is denied, the complaint shall be returned to the Complainant unfiled, in which event the Clerk shall maintain an appropriate record of the receipt and return of the complaints.

It is further ORDERED by the Acting Chief Circuit Judge that the outstanding misconduct complaint in 23-90052, which alleges that the Chief Judge is racist as evidenced by her dismissals of misconduct complaints filed against other judges, is dismissed as “lacking sufficient evidence to raise an inference that misconduct has occurred.” Rule 11(c)(1)(D). A judge’s decision to dismiss a complaint, without more, is not evidence of racism. *See, e.g., Liteky v. United States*, 510 U.S. 540, 555 (1994) (“[J]udicial rulings alone almost never constitute a valid basis for a bias or partiality motion.”).

The Clerk is directed to transmit a copy of this order to the Complainant.