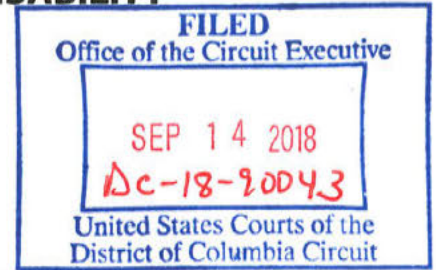


**JUDICIAL COUNCIL OF THE DISTRICT OF COLUMBIA CIRCUIT
COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**



E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001-2866
202-216-7340



This form should be completed and mailed to the above address to the attention of the "Circuit Executive". The envelope should be marked "JUDICIAL MISCONDUCT COMPLAINT" or "JUDICIAL DISABILITY COMPLAINT". Do not put the name of the judge on the envelope.

The "Rules for Judicial-Conduct and Judicial-Disability Proceedings", adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. Your complaint (this form and the statement of facts) should be typewritten and must be legible. Only the original form and up to a five page statement of facts should be submitted. No copies are required.

1. Name of Complainant:
Address:
Telephone:



2. Name(s) of Judge(s) complained about: Brett Kavanaugh
Court: United States Court of Appeals for the District of Columbia Circuit

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?
 Yes No

If "yes" give the following information about each lawsuit (use reverse side if more than one):

Court: _____
Case number: _____

- Are (were) you a party or lawyer in the lawsuit?
 Party Lawyer Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

Docket number(s) of any appeals of above case(s) to the Court of Appeals, D.C. Circuit:

4. Have you filed any lawsuits against the judge?

Yes No

If "yes" give the following information about each lawsuit (use the reverse side if more than one)

Court: _____

Case number: _____

Present status of lawsuit: _____

Your lawyer's name: _____

Address: _____

Telephone: () -

Court to which any appeal has been taken in the lawsuit against the judge: _____

Docket number of the appeal: _____

Present status of the appeal: _____

5. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based on up to five double-sided pages (8.5 x 11"). Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation. See Rule 6 (a) for further information on what to include in your statement of facts.

Declaration and Signature:

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature:



Date: 9/10/2018

I believe Judge Kavanaugh has committed perjury not only during his September confirmation hearings for the Supreme Court, but well before that. To wit:

- He testified that *Roe v. Wade* is “settled as a precedent of the Supreme Court.” But he said essentially the opposite in a 2003 email leaked to *The New York Times*. “I am not sure that all legal scholars refer to *Roe* as the settled law of the land at the Supreme Court level since Court can always overrule its precedent, and three current Justices on the Court would do so,” he wrote then. Judge Kavanaugh’s backers in the Senate brushed this off by pointing out that his 2003 statement was factually correct. They’re right, which means that his testimony this week was both disingenuous and meaningless.
- At his 2004 confirmation hearing before the Judiciary Committee, he denied any involvement in the vetting of a controversial judicial nominee while serving as one of President George W. Bush’s White House lawyers. The nominee, William Pryor Jr., had among other things called *Roe v. Wade* “the worst abomination of constitutional law in our history.” In fact, Mr. Kavanaugh was more than a little involved, as emails from that period made clear.
- In that 2004 hearing and again in 2006, when he was being considered for a seat on the federal appeals court in Washington, D.C., Mr. Kavanaugh told Congress, under oath, that he knew nothing about the extensive theft of secret strategy documents from Democratic senators’ computers by Republican staffers. As it turns out, he did in fact receive those documents or summaries of them. But he now claims that he had no reason to believe that they had been stolen, even though one email he got had the subject line “spying” and began, “I have a friend who is a mole for us on the left.”
- There are the persistent doubts about his truthfulness in telling senators in 2006 that he had no knowledge of Mr. Bush’s warrant less wiretapping program or his detainee treatment policy — claims that have been called into question by yet more emails, which showed he knew about both of those things years before they became public.

During his confirmation hearings, Judge Kavanaugh was quick to provide lawyerly explanations for all of these discrepancies, but they paint a pattern that’s hard to ignore: He misstates facts under oath. What some might call: Perjury.

