

[REDACTED]

Supreme Court of the United States
The Chambers of
Chief Justice John Roberts
1 First Street NE,
Washington, DC 20543

Date: October 15, 2018

Subject: **Complaint No. DC-90072**

Attention: Chief Judge John Roberts,

In response to your October 10, 2018 letter to *Chief Judge Timothy M. Tymkovich*, I am writing on behalf of my client, [REDACTED]. On October 3, 2018, [REDACTED] filed a Judicial Complaint against Associate Justice Brett Kavanaugh [REDACTED] (See Exhibit A).

On or around October 11, 2018 my client received notice via mail by the Office of the Circuit Executive for the U.S. Court of the District of Columbia Circuit that his judicial complaint “*was filed on October 9, 2018*” and assigned case No. DC-90072 (See Exhibit B). Upon a review of his stamped complaint, the seal of the US Court of Appeals is clearly dated on October 3, 2018 as well as his **Declaration and Signature** with the signed date of October 3, 2018.

Therefore, due to this inadvertent error committed by the Office of the Circuit Executive, I am requesting that my client’s complaint be afforded the same opportunity as the other complaints that were acknowledged publicly in your October 10, 2018 letter and transferred to the US Court of Appeals for the Tenth Circuit.

In closing, I have asked my client to write and sign a statement regarding the October 3, 2018 filing (See Exhibit C). In addition, I’ve asked my client to prepare a Supplemental addendum to the Judicial Complaint with supplementary references to the [REDACTED] case that is currently on file with the Supreme Court of the United States.

With kind regards,

[REDACTED]

cc: *Mr. James C. Duff*,
Dir. Administrative Office of the United States Courts
The Honorable Anthony J. Scirica,
Chair, Judicial Conference Comm. Judicial Conduct and Disability
The Honorable Timothy M. Tymkovich
Chief Circuit Judge, United States Court of Appeals for the Tenth Circuit

Exhibit B

OFFICE OF THE CIRCUIT EXECUTIVE

UNITED STATES COURTS OF THE
DISTRICT OF COLUMBIA CIRCUIT

Elizabeth H. Paret
202.216.7340 Phone

E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

October 9, 2018



Re: Judicial Complaint No. DC-18-90072

Dear 

Your complaint alleging judicial misconduct by  was filed on October 9, 2018, and has been assigned Judicial Complaint No. DC-18-90072. Please use this number on any future correspondence pertaining to your complaint.

Your complaint also alleges misconduct by former U.S. Circuit Judge Brett Kavanaugh. Rule 4 of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings* provides that a complaint under the Rules "may concern the actions or capacity only of judges of United States courts of appeals, judges of United States district courts, judges of United States bankruptcy courts, United States magistrate judges, and judges of the courts specified in 28 U.S.C. § 363." Since former Judge Kavanaugh is no longer a judge of the U.S. court of appeals, these procedures no longer apply to him so this office can take no action with regard to those aspects of your complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Gallagher".

Steven Gallagher
Deputy Circuit Executive

Exhibit C

Judicial Council of the United States of Appeals for the Tenth Circuit

*Complainant Statements and Disclosures Regarding the filing date controversy
of Judicial Complaint Ref: Case No 90072*

Statements and Disclosures

I, [REDACTED] will attest that on October 3, 2018 around 9:00 am, I entered into the Office of the Clerk of the US Court of Appeals District of Columbia Circuit in order to file a complaint against Circuit Judge Brett Kavanaugh and [REDACTED]. In addition, I requested two stamped copies of the complaint from the office employee.

In response to the Presidential mandate (See Exh i) regarding the FBI Investigative team's ability to "...interview whoever they deem appropriate..." into the Kavanaugh matter; I walked over to the FBI – Washington DC Field Office to submit a stamped copy of the Judicial Complaint along with my statements and declarations (See Exh ii). However, the FBI officer refused to accept any (*walk up*) packages related to the Kavanaugh matter.

Therefore, around 1pm, I walked into a U.S. Postal Service and mailed a copy of the Judicial Complaint and statements to the FBI Headquarters Office in Washington, DC. The first-class mailer tracking code¹ can attest to the fact that this document was mailed to that office on October 3, 2018 (See Exhibit iii).

Declaration and Signature

I declare under penalty of perjury under the laws of the United States of America that the following statements made before the Judicial Council that the statements and exhibits are true to the best of my knowledge.

Date: Oct 15, 2018

¹ 9505511408418276219286 (USPS Tracking Code)

Exhibit i

♥ TheLastRefuge and 2 others liked



Donald J. Trump ✓
@realDonaldTrump

NBC News incorrectly reported (as usual) that I was limiting the FBI investigation of Judge Kavanaugh, and witnesses, only to certain people. Actually, I want them to interview whoever they deem appropriate, at their discretion. Please correct your reporting!

9/29/18, 10:49 PM

31.8K Retweets **104K** Likes

Exhibit ii

To The Federal Bureau of Investigations
Statements and Disclosures Regarding
the Confirmation of Judge Brett Kavanaugh

[REDACTED]

Opening Statement

I, [REDACTED] have attached a copy of a Judicial Complaint in the U.S. Court of Appeals for the District of Columbia Circuit ("the Court") regarding the U.S. Supreme Court nominations of both [REDACTED] and Judge Brett Kavanaugh. The purpose of filing this document with the Court serves as a record and Statement of Facts presented to the Special Agents assigned to the FBI Kavanaugh Confirmation Task Force.

In addition, the President has publically acknowledged that the FBI Task Force is not limited to sexual allegations or witnesses related to sexual allegations. Therefore, the above complainant now brings forward his statements related to the [REDACTED]

[REDACTED] Judge Kavanaugh [REDACTED]

This matter was brought to the attention of the U.S. Senate Judiciary Committee staff on October 5, 2011 and May 5, 2014. In addition, the complainant *hand-delivered* to each member of the U.S. Senate of the Judiciary Committee; copies of his disclosure and exhibits on September 12, 2018 prior to the September 13, 2018 scheduled committee confirmation hearing on Judge Kavanaugh.

The core issue has been whether Judge Kavanaugh [REDACTED] used their official position as Judges to dismiss and seal a [REDACTED] in order to receive favorable support for U.S. Supreme Court.

[REDACTED]

[REDACTED] Therefore, in support of the President's willingness to expand the Kavanaugh probe; the complainant submits his statements under the Court's Judicial Misconduct record.

Declaration and Signature

I declare under penalty of perjury that the following attached statements made in the U.S. Court of Appeals DC Circuit are true and correct to the best of my knowledge.

[REDACTED]

Date: 10/3/2018

Exhibit iii

PRESS FIRMLY TO SEAL

PRESS FIRMLY TO SEAL

PRIORITY MAIL

- DATE OF DELIVERY SPECIFIED*
- USPS TRACKING™ INCLUDED*
- INSURANCE INCLUDED*
- PICKUP AVAILABLE

WHEN USE A CUSTOMER LABEL #

EXPECTED DELIVERY DAY: 10/04/2018

USPS TRACKING NUMBER

9505 5114 0841 8276 2192 B6



EP14F July 2013
OD: 125 x 9.5

VISIT US AT **USPS.COM**
ORDER FREE SUPPLIES ONLINE



FROM: **PRIORITY MAIL**

FROM: [REDACTED]



U.S. POSTAGE PAID
WASHINGTON, DC
20218-18
AMOUNT
\$6.70
RZ309N1 40042-18

TO: FBI Headquarters
Kavanaugh 1st Force
Special Agent in Charge
935 Pennsylvania Ave NW
Washington, DC 20535-0201

Label 228, March 2016

FOR DOMESTIC AND INTERNATIONAL USE

Exhibit A

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

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

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

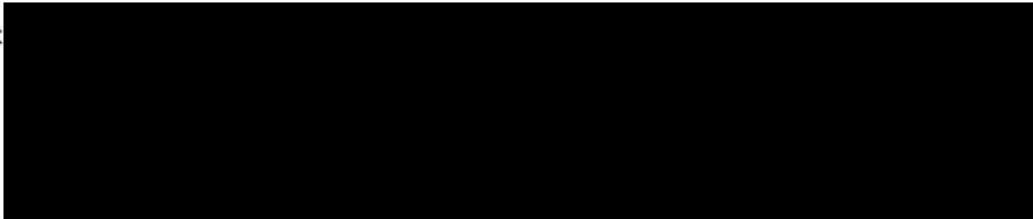
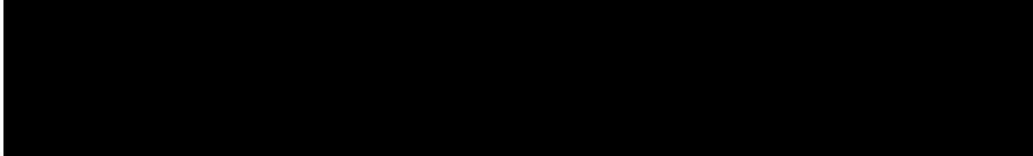
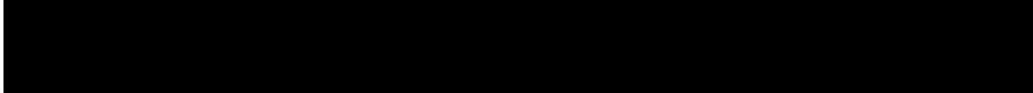
OCT - 9 2018

RECEIVED

COPY

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: Judge Brett Kavanaugh 
Court: U.S. Court of Appeals for the District of Columbia

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: U.S. Court of Appeals District of Columbia Circuit
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: _____

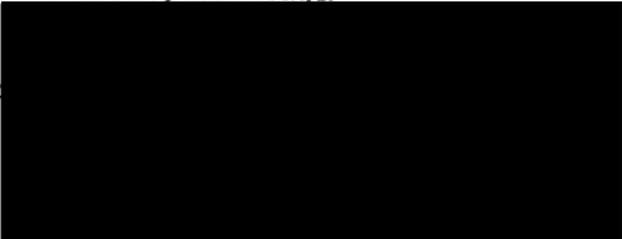
Docket number of the appeal: _____

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: 10/3/2018

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

[REDACTED]

September Term 2011

[REDACTED]

Filed On: December 2, 2011

[REDACTED]

Petitioner

BEFORE: [REDACTED] and Kavanaugh, Circuit Judges

ORDER

Upon consideration of the petition for a writ of mandamus and the motion to seal, it is

ORDERED that the motion to seal be denied. Petitioner has not overcome the strong presumption in favor of public access to judicial records. See generally United States v. Hubbard, 650 F.2d 293, 317-24 (D.C. Cir. 1980). It is

FURTHER ORDERED that the petition for a writ of mandamus be denied. Petitioner has not shown that he has a clear right to relief, that the United States Tax Court has a clear duty to act, and that there is no other adequate remedy available to him. See Power v. Barnhart, 292 F.3d 781, 784 (D.C. Cir. 2002); see also Gulfstream Aerospace Corp. v. Mayacamas Corp., 485 U.S. 271, 289 (1988).

Pursuant to D.C. Cir. Rule 36, this disposition will not be published.

Per Curiam

United States Court of Appeals
for the District of Columbia Circuit

OCT - 3 2018

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In the Matter Circuit Court Judges
Brett Kavanaugh [REDACTED]

Pursuant to 28 U.S.C. §351-364

COPY

COMPLAINT OF JUDICIAL MISCONDUCT

COURT OF APPEALS DOCKET: [REDACTED]
APPEAL FROM: [REDACTED]

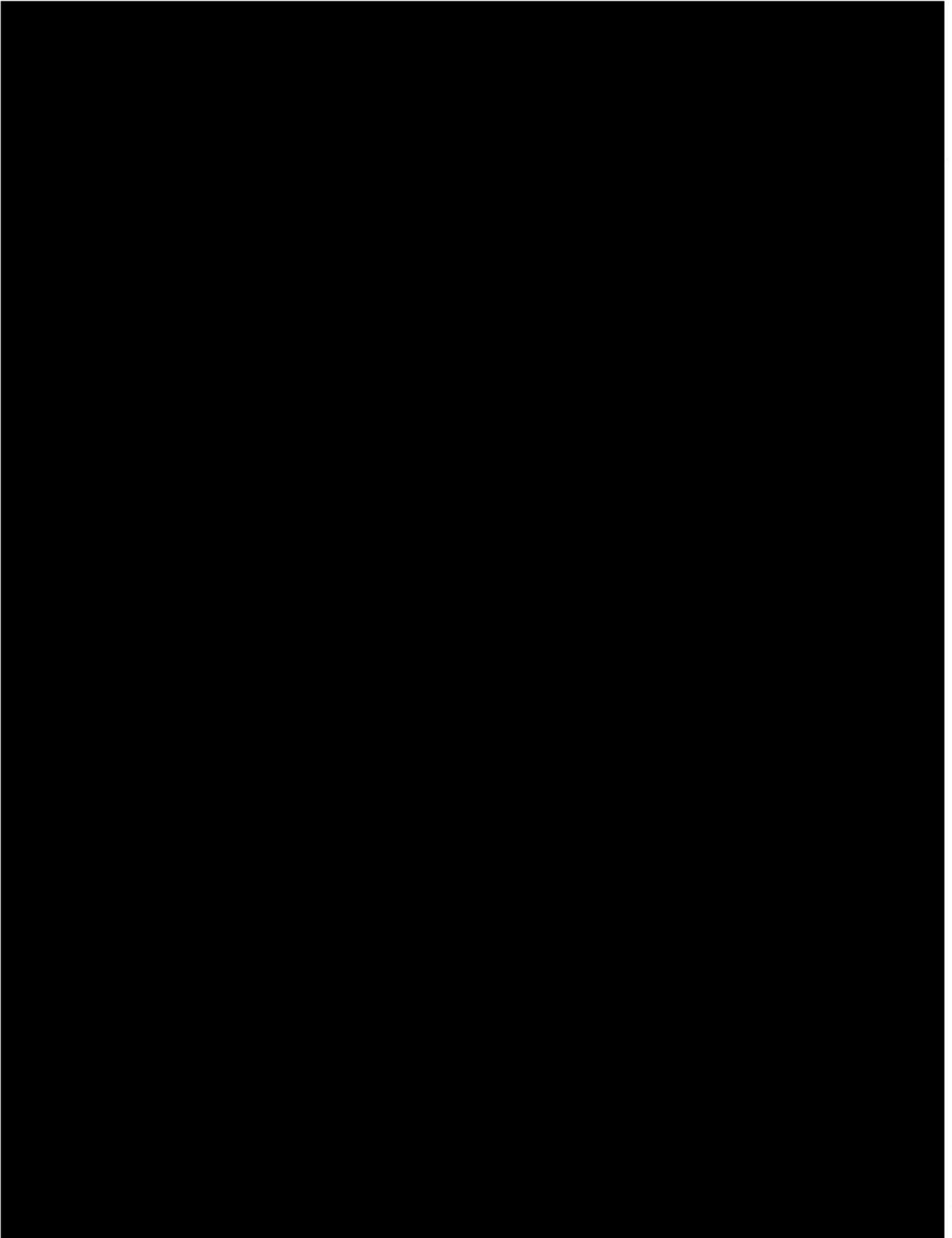
THE MISCONDUCT ISSUE

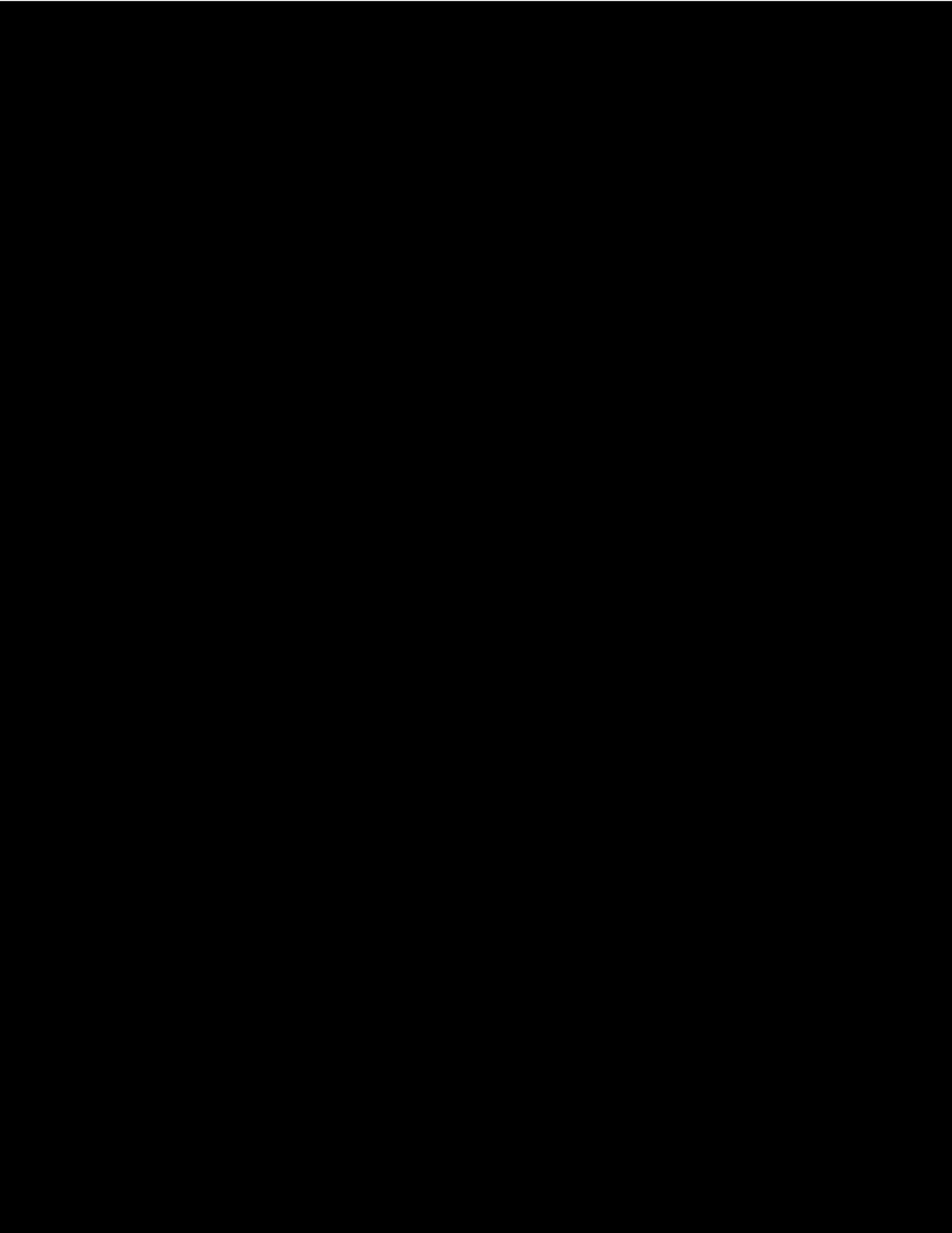
Section h(1)(B) "...personal favors related to the judicial office;"

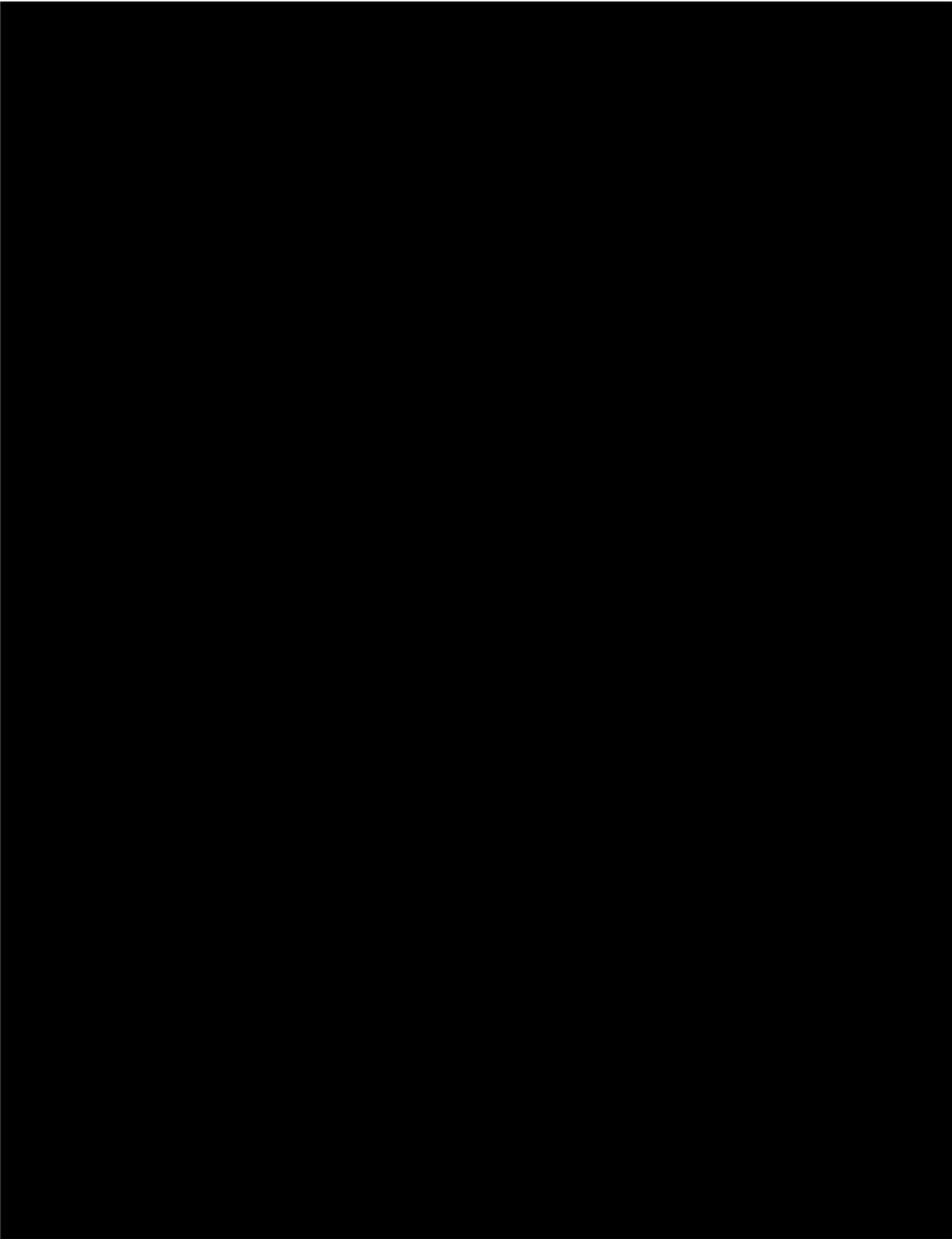
SUMMARY OF THE ISSUE

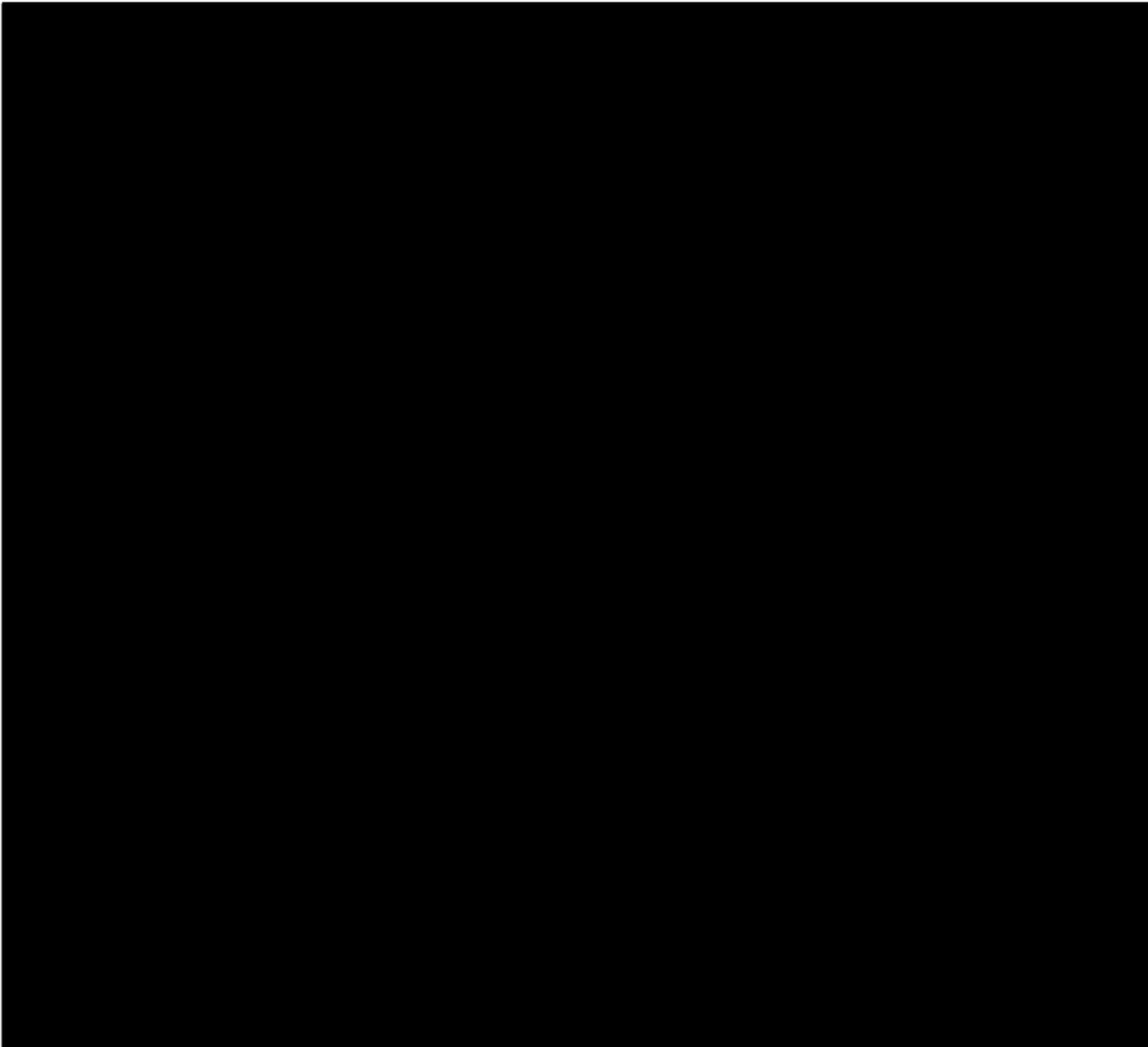
The summary of the issue addresses the question of whether or not the Judge violated the "*personal favors related to the judicial office;*" clause of the Judicial Conduct and Disability Act of 1980 in reference to [REDACTED]

[REDACTED]









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



Date: 10/3/2018