

APPENDIX A

Denied Reasonable Accommodation - appointed a lawyer after
Medical Emergency

OFFICE OF THE CLERK

MARCIA M. WALDRON

CLERK



UNITED STATES COURT OF APPEALS

21400 UNITED STATES COURTHOUSE
601 MARKET STREET

PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

TELEPHONE

215-597-2995

November 22, 2017

Jane Doe

3232 Georgia Avenue, N.W.

Suite 605

Washington, D.C., 20010

RE: Doe v. Law School Admission Council, Inc.
Nos. 17-3230 & 17-3357
Appellant's Request for Accommodation

Dear Ms. Doe:

Please allow this letter to acknowledge receipt of your letter dated November 8, 2017, which was addressed to the chief judge of this Court. Your letter was received on November 20, 2017, and referred to the Clerk's Office for a response.

This Court attempts to provide reasonable accommodations to litigants with disabilities. From your letter, it appears you are seeking permission to file documents electronically and to have an attorney appointed for you. Each of these requests is addressed in turn.

In general, the Court's permission is not necessary to register as an electronic filer. See 3d Cir. L.A.R. 25.1(c) & 113.2(b) (2011). Indeed, the Court's records suggest you are already authorized to electronically file documents in both of your appeals.

Your request for counsel, however, cannot be handled administratively. To request counsel, you must file a formal motion within the context of your appeals. Any such motion must be filed on the dockets and served on all parties. When deciding whether to appoint counsel, the Court will ordinarily weigh the factors discussed in

APPENDIX B

Represented by Lawyer 13-652(CKK) **Self Representation Litigant** 13-1232 (RJI)

Young, Plaintiff - Person with disabilities	Jane Doe, Plaintiff - Person with disabilities
DCHA - Defendant	DCHA - Defendant
ADA, Section 504, Civil Rights Discrimination	ADA, Section 504, Civil Rights Discrimination
Same allegation, Same Counts	Same allegation, Same Counts
Filed: May 7, 2013	Filed: July 11, 2013
No medical records or ADA violations	Private Medical Records proved to the Court for the purposely of facilitating the reasonable accommodations request. Filed into public records in violation of Federal and Local rules
Settlement for \$350,000, accommodations, No NDA- 2014	Allowed DCHA to file additional medical records (without retract) provide to the defendant for accommodations purpose.
Justice	Dismiss with prejudice for lack of Jurisdiction
	3 years of filing motions, petition of writ to the DC Circuit to retract medical records - all Denied
	Mailed Notice of Appeal by Certified mail
	Court refused to file the timely "Notice of Appeal" - Obstruct of Justice.
	Access to the Court delayed for a year proving the court receive the notice on time.
	Appointed a lawyer, medical records are retracted within days,
	Circuit Court found gross abuse by Judge Leon
	Allowed Jim Crow/Water-Down Justice
	DC Circuit did not appoint a lawyer for the severely disabled person who can not read or write
	DC Circuit remained the case back to the same bias Judge Richard J. Leon.
	DCHA used Judge Leon's bias a weapon to force to settle
	DCHA threaten a retaliation eviction/homeless - if we do not settle
	DCHA: made falsified medical documents. Doctor: stated she would testify in Court she never rescind her original diagnosis of need for aid.
	DCHA: threaten to abuse degraded, Jane Doe's severely disabled sister on the stand who have the mind of a kid.
	Justice Denied - Coerced to settle and sign an NDA Allowed to say in the apartment temporary - 2017

(A30)

APPENDIX C - JANE DOE

The Judicial Council

FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of

Judicial Council Complaint No. DC-15-90021

**A Charge of Judicial
Misconduct or Disability**

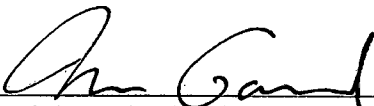
Before: GARLAND, *Chief Judge*.

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 11(g)(2).


Merrick B. Garland, Chief Judge

Date: 10/9/15

A131

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 has filed three civil actions in the district court that have been assigned to the subject judge. After the judge dismissed the complainant's first case for lack of jurisdiction, the complainant filed a misconduct complaint against him. On February 2, 2015, that misconduct complaint was dismissed. Thereafter, the complainant filed two more civil actions in the district court, which were also assigned to the subject judge. The judge denied the complainant's motions to recuse him in those two cases. One of these cases remains pending in the district court; the other has been dismissed for failure to state a claim upon which relief can be granted. The instant misconduct complaint raises allegations related to all three of the civil actions.

With respect to the first civil action, the complainant alleges -- as she did in her first misconduct complaint -- that the subject judge discriminated against her because of "race, sex, or being a pro se litigant." As with her first misconduct complaint, however, this element of the instant complaint lacks "sufficient evidence to raise an inference that misconduct has occurred." JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, RULE 11(c)(1)(D). The complainant alleges that "[i]t is clear by [the judge's] many legal errors that he was bias[ed] against the Plaintiff." The "only logical reason why [the judge] dismiss[ed] this case," she alleges, "is his bias

against women, blacks and/or pro se litigants.” Allegations of legal error, however, are “directly related to the merits of a decision or procedural ruling” and do not constitute “[c]ognizable misconduct.” JUDICIAL-CONDUCT RULE 3(h)(3)(A). Such allegations alone are insufficient to raise an inference of misconduct and, accordingly, that element of the complaint must be dismissed. JUDICIAL-CONDUCT RULE 11(c)(1)(D).

With respect to the second and third civil actions, the complainant alleges that the subject judge had “refuse[d] to rule on pending Motions” for ten months. “This proves,” she contends, that the judge “deliberately violated [her] personal liberties.” The Rules for Judicial-Conduct Proceedings expressly provide that “[c]ognizable misconduct does not include . . . an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases.” JUDICIAL-CONDUCT RULE 3(h)(3)(B). The complainant does not allege that the judge has habitually delayed in a significant number of unrelated cases.

The complainant does allege, however, that the ten-month delay “also proves [the subject judge] is discriminating against [the complainant], either because [she is] female, African American or a pro se litigant.” But delay alone is insufficient “to raise an inference that misconduct has occurred.” JUDICIAL-CONDUCT RULE 11(c)(1)(D). Rather, “[s]uch an allegation may be said to challenge the correctness of an official action of the judge -- in other words, assigning a low priority to deciding the particular case.”

JUDICIAL-CONDUCT RULE 3, Commentary. It is therefore "excluded as merits-related" from the category of cognizable misconduct, and this element of the complaint also "must be dismissed." JUDICIAL-CONDUCT RULE 11(c)(1)(B).¹

¹ Pursuant to 28 U.S.C. § 352(c) and Judicial-Conduct 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 35 days of the date of the Circuit Executive's letter transmitting the dismissal Order and this Memorandum. JUDICIAL-CONDUCT RULE 18(b).

APPENDIX D - S.E SMITH

The Judicial Council

FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of

Judicial Council Complaint No. DC-15-90011

No. DC-15-90012

No. DC-15-90013

No. DC-15-90014

No. DC-15-90015

**A Charge of Judicial
Misconduct or Disability**

Before: GARLAND, *Chief Judge*.

ORDER

Upon consideration of the complaints described herein, filed against a judge of the United States District Court for the District of Columbia, it is

ORDERED that the complaints 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 complainants, 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 11(g)(2).


Merrick B. Garland, Chief Judge

Date: 10/6/15

(A33),

MEMORANDUM

The complainants have filed complaints of judicial misconduct against a judge of the United States District Court for the District of Columbia. For the following reasons, the complaints will be dismissed.

The complainants are plaintiffs in an employment discrimination suit that they filed in the United States District Court. The subject judge is the judge assigned to the matter. In July 2013, the plaintiffs filed a motion to amend/correct their fourth amended complaint in that lawsuit. Briefing on the motion was completed in September 2013. The complainants' misconduct complaint alleges that the judge's "delay ruling on [that] motion for almost two years is not only unethical, but unconscionable."

The Rules for Judicial-Conduct Proceedings expressly provide that "[c]ognizable misconduct does not include . . . an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases." JUD. CONF. U.S., RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS 3(h)(3)(B). The complainants do not allege that the judge has habitually delayed in a significant number of other cases. To the contrary, they note that "his response time for ruling on motions in other [similar] cases, were much quicker than his response times" in their case. It should also be noted that the judge has recently issued a minute order indicating his intent to issue a written opinion on the complainants' motion, but delaying entry of a final order pending resolution of representation issues that have arisen in the case.

Although the complainants do not allege that the delay in their case is part of a pattern in other cases, they do contend that it is the product of an improper motive. That motive, they allege, is that the judge is “personally bias[ed]” against them. The only evidence of such bias that they proffer is the fact that the judge has ruled “much quicker” on motions in other cases. That, however, is insufficient “to raise an inference that misconduct has occurred.” *Id.* JUDICIAL-CONDUCT RULE 11(c)(1)(D). Rather, “[s]uch an allegation may be said to challenge the correctness of an official action of the judge -- in other words, assigning a low priority to deciding the particular case.” *Id.* JUDICIAL-CONDUCT RULE 3 Commentary. It is therefore “excluded as merits-related” from the category of cognizable misconduct, *id.*, and “must be dismissed, *id.* JUDICIAL-CONDUCT RULE 11(c)(1)(B). *See* 28 U.S.C. § 352(b)(1)(A)(ii), (iii).¹

¹ Pursuant to 28 U.S.C. § 352(c) and Judicial-Conduct 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 35 days of the date of the Circuit Executive’s letter transmitting the dismissal Order and this Memorandum. JUDICIAL-CONDUCT RULE 18(b).

**Additional material
from this filing is
available in the
Clerk's Office.**