



U.S. Department of Justice

Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, DC 20530
(202) 514-3365

December 15, 2025

By Email

Nikhel Sus
CREW
1331 F St., N.W., Suite 900
Washington, DC 20004
nsus@citizensforethics.org

Re: OPR FOIA No. F22-00034 3rd Interim Response of Records of Non-Referrals

Dear Mr. Sus:

This letter is in response to your January 30, 2022, Freedom of Information Act (FOIA)/Privacy Act (PA) request to the Department of Justice (DOJ) Office of Professional Responsibility (OPR) seeking the following records from January 1, 2010, to the date OPR began to process your request:

1. All complaints or other submissions to DOJ's Office of Professional Responsibility ("OPR") regarding possible professional misconduct by any federal court of appeals judge, district court judge, magistrate judge, or bankruptcy judge.
2. All referrals made by OPR to any judicial disciplinary authority, state bar, or any other external entity regarding possible professional misconduct by any federal court of appeals judge, district court judge, magistrate judge, or bankruptcy judge.
3. All OPR reports, conclusions, or findings relating to items 1 or 2 above.

OPR received your request on January 20, 2022, and has assigned to it tracking number **F22-00034**. Please refer to this number in any correspondence pertaining to this matter.*

For this third interim response to your request for records related to non-referrals of judicial misconduct, OPR processed a total of 50 pages responsive to your request. Enclosed please find two pages (Bates-numbered F22-00034 01598 to 01599), with excisions made pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 522(b)(5) and (b)(6). Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties. Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions. Three pages were deemed to be duplicates of pages processed for this interim response.

* For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

OPR determined that 17 pages (Bates-numbered F22-00034 01600 to 01616) contained information of interest to the Executive Office for U.S. Attorneys (EOUSA); two pages (Bates-numbered F22-00034 01617 to 01618) contained information of interest to the U.S. Trustee Program (USTP); and 14 pages (Bates-numbered F22-00034 01619 to 01632) contained information of interest to USTP and the Professional Responsibility Advisory Office (PRAO). OPR sent those pages for consultation to EOUSA, USTP, and PRAO pursuant to 28 C.F.R. § 16.4(d). Upon receipt of the consultation responses, OPR will finalize and provide these pages, as appropriate, to you.

Because 11 pages of responsive records originated with USTP (Bates-numbered F22-00034 01633 to 01643), OPR referred those pages to USTP for processing and direct response to you.

One page (Bates-numbered F22-0034 01644) was withheld in full pursuant to Exemption 5 of the FOIA, 5 U.S.C. § 522(b)(5). Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to file an administrative appeal with the Office of Information Policy.

Sincerely,



Margaret S. McCarty
Senior Associate Counsel

Attachment: F22-00034 Processed and Produced Page Counts Chart

cc: Taylor Pitz, Trial Attorney
Federal Programs Branch, Civil Division

Attachment F22-00034 Processed and Produced Page Counts Chart						
Interim/ Monthly Interim	Bates Nos.	No. of Pages Processed	Blank, Duplicate, Non- responsive Pages	Produced to Sus=S Consult=C Referral=R Withheld in Full=WIF	No. of Pages Produced	Pages Produced and Processed
Prioritized, Referred Judges						
FEB 2023	1-66	66	62	S=4	66	66 [†]
MAR 2023	67-283	217	0	S=1 R=137 (EOUSA) R=73(FBI) WIF=6	217	217
3 rd Interim (Jan 29, 2024)	284-491	614	406	C=1 (EOUSA, CRM, FBI) R=182 (EOUSA) R=11 (CRM) R=14 (FBI)	208	614
4 th Interim (Sept. 23, 2024)	492-626	561	426	S=84 C=15 (CRM) C=17 (CRM,PRAO) WIF=19	135	561
5 th Interim	627-788	168	6	S=11 C=11 (EOUSA) C=2 (CRM) R=111 (EOUSA) W=27	162	168
Non-Referred Judges						
1 st Interim	789-872	86	2	C=11 (EOUSA, OIG) R=64 (OIG) W=9	84	86
2 nd Interim	873-01597	745	20	S=72 C=32 (EOUSA, the OIG, OIP) R=1 (CRM) R=2 (OIG) R=597 (EOUSA) W=21	725	745
3 rd Interim	01598-01644	50	3	S=2 C=33 (EOUSA, USTP, PRAO) R=11 (USTP) W=1	47	50

[†] For the February 2023 interim response, 62 of the 66 pages produced were discovered to be nonresponsive post-production, but are counted here as part of the total number of pages actually produced (and processed).

	Total Produced	1,644	
	Total Produced and Processed		2,507

From: [Gonzalez, Gregory \(OPR\)](#)
To: [Drouet, Suzanne \(OPR\)](#); [Ragsdale, Jeffrey \(OPR\)](#)
Subject: RE: Non DOJ Question re: Magistrate Remark
Date: Tuesday, August 3, 2021 2:58:00 PM
Attachments: [image001.png](#)

Thanks! I will circle back with them

Greg Gonzalez
Assistant Counsel
U.S. Department of Justice
Office of Professional Responsibility
950 Pennsylvania Ave. NW,
Washington, D.C. 20530

(b) (6)

202-514-5050 fax

seal



From: Drouet, Suzanne (OPR) (b) (6)
Sent: Tuesday, August 3, 2021 2:41 PM
To: Gonzalez, Gregory (OPR) (b) (6); Ragsdale, Jeffrey (OPR)
(b) (6)
Subject: RE: Non DOJ Question re: Magistrate Remark

(b) (5)

From: Gonzalez, Gregory (OPR) (b) (6)
Sent: Tuesday, August 3, 2021 1:10 PM
To: Ragsdale, Jeffrey (OPR) (b) (6) Drouet, Suzanne (OPR)
(b) (6)
Subject: RE: Non DOJ Question re: Magistrate Remark

(b) (5)

Greg Gonzalez
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From: Ragsdale, Jeffrey (OPR) (b) (6)

Sent: Tuesday, August 3, 2021 11:52 AM

To: Gonzalez, Gregory (OPR) (b) (6) Drouet, Suzanne (OPR)

(b) (6)

Subject: RE: Non DOJ Question re: Magistrate Remark

Duplicate of BN 01603