



U.S. Department of Justice

Office of Professional Responsibility

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

August 11, 2026

By Email

Nikhel Sus
CREW



Re: OPR FOIA No. F22-00034 Second Interim Response of Records (Non-Referred)
OIG Response to Consult (three pages enclosed)

Dear Mr. Sus:

This letter is in response to your January 30, 2022, Freedom of Information Act (FOIA) 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.*

Enclosed please find three pages (Bates-numbered F22-00034 00966 to 00968) that OPR sent to the Office of the Inspector General (OIG) for consultation as part of judicial non-referrals. After consultation, we have determined these pages are appropriate for release with excisions made pursuant to Exemptions 5, 6 and 7(C) of the FOIA, 5 U.S.C. § 522(b)(5), (b)(6) and (b)(7)(C). 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. Exemption 7(C) pertains to information compiled for law enforcement purposes which could reasonably be expected to constitute an

* 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.

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.

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,

A handwritten signature in black ink that reads "Margaret McCarty". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Margaret 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).

Complaints of Judicial Misconduct						
1 st and Final Interim	01645-01812	203	35	S=95 C=62 (EOUSA, ENRD, PRAO, CRM) R=11 (ENRD, EOUSA)	168	203
				Total Produced	1,812	
				Total Produced and Processed		2,710

From: [Hardy, Lyn \(OPR\)](#)
To: [Barbour, Katrina \(OPR\)](#)
Subject: FW: OIG Referral
Date: Thursday, January 25, 2018 9:25:43 AM
Attachments: [OPR-#426140-v1-Fwd_OIG_Referral.MSG.msg](#)

Katrina, can you open this please. No letter necessary. Thanks. Lyn.

From: Birney, William J (OPR)
Sent: Thursday, January 25, 2018 9:22 AM
To: Hardy, Lyn (OPR) (b) (6)
Cc: Ragsdale, Jeffrey (OPR) (b) (6); Hurley, Neil (OPR)
(b) (6); Gonzalez, Gregory (OPR) (b) (6)
Subject: FW: OIG Referral

Lyn:

Please see the attached email forwarding a complaint submitted to the OIG by (b) (6), (b) (7)(C) against U.S. District Judge Colin Bruce, alleging that Judge Bruce committed judicial misconduct by exchanging emails with a paralegal employed by the U.S. Attorney's Office, where the judge served as an AUSA for 24 years -- until his appointment to the bench in 2013. The OIG forwarded (b) (6), (b) (7)(C) complaint to OPR for a determination of whether to report the allegation to appropriate disciplinary officials.

(b) (6), (b) (7)(C) has also made misconduct allegations against Judge Bruce, the Interim U.S. Attorney, and the First Assistant in connection with (b) (6), (b) (7)(C) in the prosecution of former Congressman (b) (6), (b) (7)(C). That matter is assigned to Greg Gonzalez, and you may want to coordinate your response to (b) (6), (b) (7)(C) with Greg, as the two matters appear to be intertwined. Thanks.

Bill

From: Ragsdale, Jeffrey (OPR)
Sent: Tuesday, January 23, 2018 4:14 PM
To: Birney, William J (OPR) (b) (6)
Cc: Hurley, Neil (OPR) (b) (6); Gonzalez, Gregory (OPR)
(b) (6)
Subject: RE: OIG Referral

I agree.

From: Birney, William J (OPR)
Sent: Tuesday, January 23, 2018 12:46 PM
To: Ragsdale, Jeffrey (OPR) (b) (6)
Cc: Hurley, Neil (OPR) (b) (6); Gonzalez, Gregory (OPR)

(b) (6)

Subject: FW: OIG Referral

Jeff, Jacqueline reminded me that there is a pending inquiry, which is assigned to Greg Gonzalez, arising out of the (b) (5) claims made by (b) (6), (b) (7)(C). Neil and I suggest that these new allegations be referred to Greg in connection with that inquiry, rather than opening a new inquiry. Please let us know if you agree. Thanks.

From: Birney, William J (OPR)

Sent: Friday, January 19, 2018 6:50 PM

To: Ragsdale, Jeffrey (OPR) (b) (6)

Subject: FW: OIG Referral

By memorandum dated January 11, 2018, the OIG referred to OPR a complaint made by (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), alleging that his (b) (6), (b) (7)(C) in the prosecution of former Congressman (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) “was part of a concerted effort by his superiors – Interim U.S. Attorney John Childress and First Assistant U.S. Attorney Patrick Hansen – and the judge presiding over the (b) (6), (b) (7)(C) case, U.S. District Judge Colin Bruce, to undermine the prosecution of (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) potential nomination as U.S. Attorney.” (b) (6), (b) (7)(C) believes that “the decision to (b) (6), (b) (7)(C) was made by [the] ODAG,” and he alleges that (b) (6), (b) (7)(C) defense attorney, (b) (6), (b) (7)(C), “has had improper access to and influence over the [ODAG].” In an order issued on October 3, 2017, Judge Bruce stated in response the defendant’s motion to dismiss the indictment that “the Government admitted that a previous claim made by (b) (6), (b) (7)(C) The government had initially denied that government attorneys made comments regarding (b) (6), (b) (7)(C) failure to testify before the grand jury, but it subsequently changed its position, admitting that on eleven occasions “government counsel commented on or addressed (b) (6), (b) (7)(C) testifying or decision not to testify before the grand jury.”

(b) (6), (b) (7)(C) also alleges that Judge Bruce committed judicial misconduct by exchanging emails with a paralegal employed by the U.S. Attorney’s Office, where Judge Bruce served as an AUSA for 24 years until his appointment as a U.S. District Judge in 2013. Copies of the allegedly improper emails are attached to the OIG memorandum. The OIG referred (b) (6), (b) (7)(C) allegations against Judge Bruce to OPR pursuant to U.S.A.M. § 1-4.150, which provides that “allegations of misconduct by . . . judges shall be reported to OPR for a determination of whether to report the allegation to appropriate disciplinary officials.”

The OIG’s January 11 memorandum referring this matter to OPR does not indicate what, if any, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) may have provided to the OIG in support of his (b) (5) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) Moreover, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) is at least arguably a management decision that is not subject to scrutiny by OPR. Nevertheless, because this is a sensitive, high-profile case, I recommend that we initiate a “preliminary” inquiry in this matter and ask (b) (6), (b) (7)(C) to submit a written complaint, setting forth in detail all the evidence that purportedly supports his allegations. I recommend that (b) (6), (b) (7)(C)

judicial misconduct allegations against Judge Bruce in connection with the allegedly improper email communications between the judge and a paralegal in the U.S. Attorney's Office be submitted to Senior Counsel Lyn Hardy for her review to determine whether to report the allegations to "appropriate disciplinary officials."

From: Ashton, Robin (OPR)

Sent: Thursday, January 11, 2018 5:41 PM

To: Birney, William J (OPR) (b) (6) Ragsdale, Jeffrey (OPR)

(b) (6)

Subject: Fwd: OIG Referral

FYI.

Begin forwarded message:

From: "OIG, Oversight&Review (OIG)" <oreview@OIG.USDOJ.GOV>

Date: January 11, 2018 at 5:09:57 PM EST

To: "Ashton, Robin (OPR)" (b) (6)

Subject: OIG Referral

The attached document is being sent to you on behalf of Daniel C. Beckhard, Assistant Inspector General.