



April 2, 2024

Judicial Council of the District of Columbia Circuit
c/o Office of the Circuit Executive
United States Court of Appeals for the District of Columbia Circuit
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, NW
Washington, D.C. 20001

Re: Judicial Misconduct Complaint Against Senior U.S. District Judge Reggie Barnett Walton

Dear Chief Judge Sri Srinivasan:

Criminal defendants—not the government—must have the constitutional right to a fair, public, and speedy trial. If there is anyone in America who must have the constitutional right to speak out against the judge, the prosecutors, their staff, the witnesses, their potential biases, and the criminal process, it is a criminal defendant. Preventing a criminal defendant from exercising this bedrock constitutional right through a gag order—a prior restraint on free speech and an obvious obstacle to due process and a fair trial—is illegal, unconstitutional, and unconscionable. This is especially true when a criminal defendant believes political opponents have politicized and weaponized our criminal-justice system against him. It is truly unbelievable that any American judge would place a gag order on a presidential candidate during the height of a presidential campaign, especially when the presidential candidate believes the criminal indictments are part of his opponent’s political campaign of lawfare and election interference.

If a criminal defendant truly makes violent threats, a prosecutor can charge him with obstruction of justice, witness tampering, and related crimes. But we have entered very dangerous territory as a country when attorneys accuse a criminal defendant of making a “violent threat” against a judge for simply raising evidence of the judge’s potential bias. And it would be inexcusable for another sitting judge—especially a federal judge—to go on a primetime national television broadcast, with hundreds of thousands of viewers (including the criminal defendant’s jury pool), and make such clearly inappropriate, defamatory, highly prejudicial, and outrageous claims against a criminal defendant while his criminal case is pending trial before a different judge.

Unbelievably, this is precisely what Judge Reggie Walton, a senior judge on the U.S. District Court for the District of Columbia, did before hundreds of thousands of CNN viewers last Thursday before Easter weekend. Judge Walton must have known his preplanned CNN interview would get millions of views, including nearly 500,000 viewers the night of its airing and millions more views through subsequent television and social-media coverage since last Thursday. And Judge Walton must have known his interview was highly prejudicial to President

Trump, who now must face jury pools—in New York City (starting in less than two weeks), Washington, DC (where Judge Walton presides, including over many related January 6th criminal cases), Atlanta, and Florida—who have now heard a sitting DC federal judge essentially accuse a criminal defendant of making “violent threats” against another judge and his family for simply raising potential judicial bias by that judge presiding over his case.

Canon 3A(6) of the Code of Conduct for United States Judges states: "A judge should not make public comment on the merits of a matter pending or impending in any court." Senior DC U.S. District Judge Reggie Walton clearly violated this Canon. Judge Walton's clear violation is highly prejudicial to President Trump, as it taints four different jury pools. Judge Walton's highly inappropriate, pre-planned, highly prejudicial, political CNN interview will cause the federal judiciary to lose its legitimacy with a broad swath of the American people. DC federal judges must get their house in order and take immediate corrective action against Judge Walton. This will send a clear message to other federal judges, especially DC judges, that they cannot take off their judicial robes and climb into the political ring. And federal judges certainly cannot throw political punches against any criminal defendant—especially one who happens to be the leading presidential candidate during the heat of the highly contentious presidential election season. Thus, we file this complaint for Judge Walton's judicial misconduct.

* * *

President Trump, the leading presidential candidate for 2024, is scheduled to face trial commencing on April 15th stemming from a 34-count felony indictment brought by elected Democrat Manhattan District Attorney Alvin Bragg. Bragg is essentially accusing President Trump of felony campaign-finance violations for, at best, time-barred misdemeanor bookkeeping violations after Trump's settlement of a nuisance claim. The prior Manhattan DA, the Manhattan U.S. Attorney, the Federal Election Commission, and Alvin Bragg himself previously declined to bring charges against President Trump under this novel legal theory. This changed when Matthew Colangelo—a senior political appointee in the Biden Justice Department and former senior political appointee in the Obama White House, Obama Justice Department, and Obama DNC—joined Bragg's office and brought the first indictment ever against any former President.¹

Manhattan Judge Juan Manuel Merchan, who donated to Biden's presidential campaign and another anti-Trump cause in 2020,² is the presiding judge for this unprecedented criminal trial against a former and likely future President. Recently, President Trump took to his social media platform *Truth Social* and posted that, because of Judge Merchan's adult daughter's

¹ Ryan King, *Donald Trump accuses prosecutor in NYC 'hush money' case of being one of Biden's 'thugs'*, New York Post, March 25, 2024, available at <https://nypost.com/2024/03/25/us-news/donald-trump-accuses-key-hush-money-prosecutor-mathew-colangelo-of-being-one-of-bidens-thugs/> (last visited April 2, 2024).

² Anders Hagstrom, *Manhattan judge refuses to recuse himself from Trump case despite donation to Biden*, Fox News, August 15, 2023, available at <https://www.foxnews.com/politics/manhattan-judge-refuses-recuse-himself-trump-case-donation-biden> (last visited April 2, 2024).

business as a Democrat political consultant, President Trump could not receive a fair trial before Judge Merchan.³



Donald J. Trump ✓
@realDonaldTrump

Judge Juan Merchan, who is suffering from an acute case of Trump Derangement Syndrome (whose daughter represents Crooked Joe Biden, Kamala Harris, Adam “Shifty” Schiff, and other Radical Liberals, has just posted a picture of me behind bars, her obvious goal, and makes it completely impossible for me to get a fair trial) has now issued another illegal, un-American, unConstitutional “order,” as he continues to try and take away my Rights. This Judge, by issuing a vicious “Gag Order,” is wrongfully attempting to deprive me of my First Amendment Right to speak out against the Weaponization of Law Enforcement, including the fact that Crooked Joe Biden, Merrick Garland, and their Hacks and Thugs are tracking and following me all across the Country, obsessively trying to persecute me, while everyone knows I have done nothing wrong!

7k ReTruths **21.6k** Likes

Mar 27, 2024 at 8:31 AM

³ Donald J. Trump (@RealDonaldTrump), Truth Social (March 27, 2024, 10:31 AM), *available at* <https://truthsocial.com/@realDonaldTrump/posts/112168132432855508> (last visited April 2, 2024); Donald J. Trump (@RealDonaldTrump), Truth Social (March 28, 2024, 4:50 PM), *available at* <https://truthsocial.com/@realDonaldTrump/112175287253440880> (last visited April 2, 2024); Donald J. Trump (@RealDonaldTrump), Truth Social (March 28, 2024, 4:50 PM), *available at* <https://truthsocial.com/@realDonaldTrump/112175286080557091> (last visited April 2, 2024).



Donald J. Trump ✓
@realDonaldTrump

Judge Juan Merchan is totally compromised, and should be removed from this TRUMP Non-Case immediately. His Daughter, Loren, is a Rabid Trump Hater, who has admitted to having conversations with her father about me, and yet he gagged me. She works for Crooked Joe Biden, Kamala Harris, Adam "Shifty" Schiff, and other Radical Leftists who Campaign on "Getting Trump," and fundraise off the "Biden Indictments" - including this Witch Hunt, which her father "presides" over, a TOTAL Conflict - and attacking Biden's Political Opponent through the Courts. Former D.A. Cy Vance refused to bring this case, as did all Federal Agencies, including "Elections."

4.5k ReTruths **15.2k** Likes

Mar 28, 2024 at 2:50 PM



Donald J. Trump ✓
@realDonaldTrump

Page 2: In this Country, we have the Right to Justice for All. As Andy McCarthy stated, "We should think of Bragg as falsifying his Prosecution" and, as Jonathan Turley said, "It's illegally pathetic - THERE WAS NO CRIME!" Virtually every Legal Scholar says it's not a case, has never been brought before, it's not criminal, and it shouldn't exist except for the fact that we have a Biased, Conflicted, and Corrupt Judge and D.A. in charge. Dismiss this ridiculous Non-Case, and MAKE THE AMERICAN JUSTICE SYSTEM GREAT AGAIN!

3.64k ReTruths **13k** Likes

Mar 28, 2024 at 2:50 PM

President Trump never levied any threat against either Judge Merchan nor his adult daughter, a Democrat political consultant.

On March 30, 2024, *The New York Post* reported extensively on the matter:⁴

Two major Democratic clients of the daughter of the judge overseeing Donald Trump's hush-money trial have raised at least \$93 million in campaign donations — and used the case in their solicitation emails — raising renewed concerns that the jurist has a major conflict of interest.

Trump's attorneys are considering filing another motion demanding Manhattan Supreme Court Justice Juan Merchan recuse himself from the trial set to begin April 15, sources said.

The judge's daughter, Loren Merchan, is president of Authentic Campaigns, a Chicago-based progressive political consulting firm whose top clients include Rep. Adam Schiff (D-Calif.), who was the lead prosecutor in Trump's first impeachment trial, and the Senate Majority PAC, a major party fundraiser.

"Authentic Campaigns, and thus the judge's daughter, is actively making money from this sham attack against President Trump, rendering Judge Merchan conflicted out," Trump spokesman Steven Cheung told *The Post*, adding that evidence of bias is even clearer now than it was in August when Merchan rejected Trump's first recusal motion.

"The judge should do the right thing and immediately recuse himself in order to show the American people that the Democrats have not destroyed our justice system completely ... him continuing to be involved in this Crooked Joe Biden-directed Witch Hunt is a complete violation of applicable rules, regulations and ethics."

Schiff's campaign for US Senate scored an eye-popping \$20 million in aid since he began soliciting donations off the presumptive GOP presidential front-runner's unprecedented 34-count indictment last April, according to Federal Election Commission records.

Trump has pleaded not guilty to felony counts of falsifying business records related to alleged hush-money payments made to porn star Stormy Daniels and Karen McDougal.

He has denied having affairs with both women. If convicted, he faces up to four years in prison.

⁴ Jon Levine and Rich Calder, *Dem clients of daughter of NY judge in Trump hush-money trial raised \$93M off the case*, *New York Post*, March 30, 2024, available at <https://nypost.com/2024/03/30/us-news/dem-clients-of-daughter-of-judge-in-trump-trial-raised-90m-off-cas-e/> (last visited April 2, 2024).

Schiff's fundraising email began, "It is a somber moment, and unprecedented for a former president to be indicted, but his alleged offenses are also unprecedented."

"Trump will respond as he always does — playing the victim and blaming others for having the temerity to investigate him in the first place," Schiff continued in the email request to supporters for \$10 donations last spring.

The Senate Majority political action committee, which supports Democratic Senate campaigns, pocketed \$73.6 million since it also began firing off fundraising emails following the ex-president's indictment.

"BREAKING NEWS: Donald Trump indicted by Manhattan grand jury This is an important moment for our democracy, but our work isn't over," the group said in an email, Fox News reported.

"We must continue protecting our Senate majority from GOP extremists. Please, rush in \$10 (becomes \$60) to help Defend the Senate."

The super PAC has done more than \$15 million in business with Authentic since 2019, including email fundraising and branding assistance, while Schiff's Senate campaign paid Authentic more than \$10 million for digital advertising and other consulting services the past year, records show.

Constitutional and criminal law attorney Alan Dershowitz said if the judge's daughter is involved in anti-Trump politics, "there seems to be a basis for recusal of the father."

"Under the law, close relationships can sometimes constitute a basis for recusal," he told The Post.

Loren Merchan — who worked for Vice President Kamala Harris' 2020 presidential campaign as "director of digital persuasion" — has said her father detests politicians using Twitter, an apparent reference to Trump.

"I've actually had a couple conversations with my dad recently where he's kind of like 'I hate that politicians use Twitter,' and like 'It's so unprofessional' and you know, 'That's not how a politician should behave themselves,' and I explain that like yeah, I think there are a lot of instances where it is not used in, like when our President [Trump] tweets anything that he thinks, and like that's not what he should be using it for," the 34-year-old Merchan offered during a podcast appearance in June 2019.

Justice Merchan, 61, on Tuesday imposed a limited gag order on Trump, prohibiting him from publicly bashing witnesses — such as his fixer-turned-enemy Michael Cohen — as well as prosecutors, court staff and jurors.

Trump, 77, will still be allowed to rip Manhattan District Attorney Alvin Bragg, an elected Democrat whose office is prosecuting the case, per the ruling. It also does not bar comments about Merchan or his family.

Trump took aim Tuesday on his Truth Social platform, writing, “Judge Juan Merchan, a very distinguished looking man, is nevertheless a true and certified Trump Hater who suffers from a very serious case of Trump Derangement Syndrome. In other words, he hates me!

“His daughter is a senior executive at a Super Liberal Democrat firm that works for Adam ‘Shifty’ Schiff, the Democrat National Committee, Senate Majority PAC, and even Crooked Joe Biden,” added Trump, who also referenced an image of himself behind bars that was posted to the daughter’s one-time personal X account.

A spokesperson for New York’s state court system claimed Merchan deleted the account — which was once linked to Authentic — about a year ago, and that she no longer controls it.

“Maybe the judge is such a hater because his daughter makes money by working to ‘Get Trump,’ and when he rules against me over and over again, he is making her company, and her, richer and richer,” Trump wrote.

Justice Merchan, who donated \$15 to former Vice President Joe Biden’s 2020 campaign and has supported other Democratic causes, did not return messages.

Messages left with his daughter and her firm were also not returned.

* * *

On the evening of March 28, 2024, in response to President Trump’s public comments, Senior DC U.S. District Judge Reggie Walton appeared on *The Source*, a CNN television program hosted by Kaitlan Collins. The appearance lasted nearly ten minutes, and Judge Walton commented extensively.⁵ Collins posted the full interview on her X (formerly Twitter) account,⁶ which has received over 1.8 million views since last Thursday:

⁵ Shania Shelton and Rashard Rose, *Federal judge warns of Trump’s attacks in extraordinary rebuke*, CNN, March 29, 2024, available at <https://www.cnn.com/2024/03/29/politics/federal-judge-donald-trump-rebuke/index.html> (last visited April 2, 2024).

⁶ Kaitlan Collins (@kaitlancollins), X Social (March 28, 2024, 9:57 PM), available at <https://twitter.com/kaitlancollins/status/1773529972780499244> (last visited April 2, 2024).



Kaitlan Collins ✓

@kaitlancollins



Senior Judge Reggie Walton: “We do these jobs because we’re committed to the rule of law & we believe in the rule of law & the rule of law can only function effectively when we have judges who are prepared to carry out their duties without the threat of potential physical harm.”



9:57 PM · Mar 28, 2024 · 1.8M Views

Canon 3A(6) dictates that “[a] judge should not make public comment on the merits of a matter pending or impending in any court.”⁷ As discussed below, Judge Walton’s interview violated this Canon, which will taint President Trump’s jury pools in four criminal cases.

The interview began with Collins asking Judge Walton about President Trump’s comments. “Well, it’s very disconcerting to have someone making comments about a judge, and it’s particularly problematic when those comments are in the form of a threat, especially if they are directed at one’s family,” Judge Walton responded. Judge Walton accused President Trump of having threatened Justice Merchan and his family. There is no plausible alternative interpretation, for Collins had read President Trump’s social-media post prior to her questions to Judge Walton about it. Any threat to a judge is a grave matter, and the perpetrator of such a threat should face serious consequences. A reasonable person cannot read President Trump’s

⁷ Guide to Judiciary Policy, Vol. 2A, Ch. 2, Canon 3A(6), *available at* https://www.uscourts.gov/sites/default/files/code_of_conduct_for_united_states_judges_effective_march_12_2019.pdf (last visited April 2, 2024).

posts and draw the conclusion that he made any such threat. President Trump articulated the reason why he believes he will not receive a fair trial before Judge Merchan. President Trump, for example, did not dox the home addresses of the judge and his adult daughter. Nor did President Trump encourage illegal protests outside of their homes.

Judge Walton continued, “[t]he rule of law can only function effectively when we have judges who are prepared to carry out their duties without the threat of potential physical harm.” Judge Walton then detailed threats against his daughter, as well as violence against two other judges: (1) Judge Joan Lefkow of the U.S. District Court for the Northern District of Illinois; and (2) Judge Esther Salas of the U.S. District Court for the District of New Jersey. Tragically, disgruntled litigants came to the judges’ homes and murdered and wounded members of the judges’ families. In those cases, there is no evidence that the murderers did so based on criticism of the judges by others who were exercising their First Amendment rights. Instead, like the assassination attempt against Justice Kavanaugh and his family, the issue was doxxing.

Judge Walton then had a discussion with Collins regarding the January 6, 2021 Capitol riot. Hundreds of cases arising from this incident are pending in the U.S. District Court for the District of Columbia (Judge Walton’s court), the U.S. Court of Appeals for the District of Columbia Circuit, and the Supreme Court of the United States. President Trump is facing charges in one of those cases in the District Court, and the Supreme Court is scheduled to hear oral arguments on that matter on April 25,⁸ after which the proceedings will return to the District Court.

Collins referenced Judge Walton’s comments at sentencing January 6 defendants. Judge Walton characterized President Trump as a “charlatan[]” after a jury verdict.⁹ Judge Walton declined to say whether he still harbors these beliefs. His statement after the jury verdict, while in our view inappropriate, is not the basis for our concern. But it was reasonably foreseeable that Judge Walton’s extrajudicial CNN television appearance would lead to discussion of his in-court statements.

CNN is a worldwide network. It is obvious prospective jurors in the New York, Atlanta, Florida, and District of Columbia criminal cases against President Trump watched Judge Walton’s unprecedented and highly inappropriate CNN interview. These prospective jurors learned, by virtue of Judge Walton’s appearance, that a sitting DC federal judge had characterized the former president so negatively.

⁸ See John Fritze, *Supreme Court sets argument date in Trump immunity case for April 25*, CNN, March 6, 2024, available at <https://www.cnn.com/2024/03/06/politics/supreme-court-sets-argument-date-in-trump-immunity-case-for-april-25/index.html> (last visited April 2, 2024).

⁹ See Michael Kunzelman, *Man blaming Trump’s ‘orders’ for riot actions found guilty*, Associated Press, April 15, 2022, available at <https://apnews.com/article/capitol-siege-biden-covid-health-riots-dc7286697fe43addc5e06249fac4a488> (last visited April 2, 2024).

The interview concluded with Collins asking Judge Walton why he had decided to comment publicly in response to President Trump's social-media posts. Judge Walton responded:

I am concerned because, like I said, we have had judges who have lost their lives, or family members [who] have lost their lives as a result of individuals who have been litigants in their courtroom, and I think it's important in order to preserve the rule of law, and the rule of law can only be maintained if we have independent judicial officers who are able to do their job and ensure that the laws are in fact enforced and that the laws are applied equally to everybody who appears in our courthouse. I think it's important that, as judges, we speak out and say things in reference to things that conceivably are going to impact on the process because, if we don't have a viable court system that's able to function efficiently, then we have tyranny, and I don't think that would be good for the future of our country and the future of democracy in our country.

Judge Walton's hyperbole is staggering. A criminal defendant expressed the view that he would not get a fair trial because of the business activities of the presiding judge's adult daughter, who is a Democrat political consultant. Whether one agrees with this view, one cannot construe it as a threat or a suggestion that anyone else threatens or perpetuates violence against the judge or his family. Again, President Trump never doxxed the home addresses of Judge Merchan or his adult daughter. The statement is not a threat to the independent judiciary nor to democracy more broadly. Judge Walton had no basis to comment on a defendant's assertion of a violation of the constitutional right to a fair trial in a pending criminal case.

A criminal defendant has the First Amendment right to criticize the criminal proceedings against him. Earlier in the interview, Judge Walton asserted that people who have influence should exercise caution about their comments because, whether intended, those comments could lead to violence or other threats. Judge Walton should have followed his own advice before his preplanned, unprecedented, highly prejudicial, and clearly inappropriate CNN interview, where he publicly criticized a criminal defendant going through the criminal process. And Judge Walton's argument is the classic heckler's veto; that is, one should not levy a nonviolent and nonthreatening criticism because a deranged individual may act violently as a result. Judge Walton did not provide any examples of this; the barbaric attacks on Judges Salas and Lefkow had nothing to do with lawful criticism by influential individuals but rather stemmed from aggrieved and demented litigants after doxxings.

It is truly dangerous to all Americans' civil liberties to label as a "threat" a criminal defendant raising potential bias by the judge presiding over his criminal case. Judge Walton did not go on CNN to condemn President Biden after the Biden White House press secretary and the Biden Justice Department encouraged illegal intimidation campaigns outside of the homes of conservative Supreme Court justices and their families—following doxxings—while the *Dobbs* case was pending. They claimed these illegal home protests were protected by the First Amendment, when they clearly violated 18 U.S.C. § 1507. The Biden White House and Justice Department maintained their position of encouraging dangerous illegal home protests, following

doxxings, even after justices and their families got sent to safe houses—indeed, even after the 1 am assassination attempt against Justice Kavanaugh, his wife Ashley, and their two teenage daughters. Why did Judge Walton feel compelled to speak out against President Trump—but not President Biden? Why didn't Judge Walton go on CNN after death threats against Judge Aileen Cannon?¹⁰ Does Judge Walton have a political bias? This is why federal judges are better served when they do not take off their judicial robes and climb into the political arena.

Canon 3A(6)'s commentary states: "If the public comment involves a case from the judge's own court, the judge should take particular care so that the comment does not denigrate public confidence in the judiciary's integrity and impartiality, which would violate Canon 2A."¹¹ It is much worse when a different judge—especially a sitting federal judge—thinks it is his job to moonlight as a CNN commentator on a pending criminal case in another judge's court.

Judge Walton's CNN interview clearly damaged the public's confidence in the judiciary's impartiality. Indeed, the media reports of the interview covered it as Judge Walton attacking President Trump. For example, *The Hill*, a large publication in Washington, DC, ran this prejudicial headline: "Federal judge blasts Trump's attacks on judges, warns against tyranny."¹²

These are the top six results of a Google News search by the undersigned of "reggie walton" on April 1, 2024 at 7:52 pm ET:

¹⁰ Zoë Richards, *Texas woman sentenced to 3 years in prison for death threats to judge in Trump's documents case*, NBC, February 9, 2024, available at <https://www.nbcnews.com/politics/justice-department/texas-woman-gets-3-years-prison-death-threats-judge-trumps-documents-c-rcna138207> (last visited April 2, 2024).

¹¹ Guide to Judiciary Policy, Vol. 2A, Ch. 2, Commentary to Canon 3A(6), available at https://www.uscourts.gov/sites/default/files/code_of_conduct_for_united_states_judges_effective_march_12_2019.pdf (last visited April 2, 2024).

¹² Lauren Irwin, *Federal judge blasts Trump's attacks on judges, warns against tyranny*, *The Hill*, March 29, 2024, available at <https://thehill.com/regulation/court-battles/4564003-federal-judge-trump-attacks-tyranny-new-york-hush-money>. (last visited April 2, 2024).

About 198 results (0.42 seconds)



Federal judge warns of Trump's attacks in extraordinary rebuke

US District Judge Reggie Walton, in a rare interview, told CNN Thursday that Donald Trump's verbal attacks against Judge Juan Merchan,...

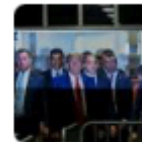
3 days ago



Judges raise alarm over Trumps attacks

Federal D.C. Judge Reggie B. Walton warned Trump's attacks on hush-money trial judge and others could lead to violence.

3 days ago



Federal Judge Reggie Walton Condemned Trump's Comments About Judge Juan Merchan On CNN

He doesn't seem like the kind of guy you'd want to mess with.

1 day ago



Federal judge blasts Trump's attacks on judges, warns against tyranny

U.S. District Judge Reggie Walton is criticizing former President Trump's attacks on the judges involved in his criminal cases,...

3 days ago



"Very troubling": Federal judge makes "extraordinary" move to reveal the truth about Trump's threats

Judge Walton feels a sense of urgency" after Trump's attacks led to a rise in threats to his own family.

3 days ago



"Very troubling": Federal judge makes "extraordinary" move to reveal the truth about Trump's threats

Judge Walton feels a sense of urgency" after Trump's attacks led to a rise in threats to his own family.

3 days ago



The undersigned served as the chief counsel for nominations on the U.S. Senate Committee on the Judiciary. This included serving as the lead oversight staffer for the federal judiciary—including their security. The undersigned served as the Senate staff leader for the nomination of Justice Brett Kavanaugh and previously served as a law clerk to Justice Gorsuch. We know full well that barbaric individuals hurl threats and sometimes act upon them. We will never forget when a disturbed political opponent shot and nearly killed U.S. House Representative Steve Scalise (R-Louisiana). But Members of Congress cannot silence legitimate criticisms, even if we disagree with them, based on the maniacal actions of others.

Criticism comes with the territory, and the same principle applies to judges. Federal judges are given lifetime tenure and pay protection precisely to insulate them from criticism. Judges have the right to security, and anyone who violates that right by lodging threats or engaging in violence should receive severe punishment. The Article III Project and the undersigned have loudly and consistently supported Judge Salas' call to outlaw doxxings of the home addresses of judges and their families.

Defendants have the right to a fair trial—and to speak out in a non-threatening way when a judge is not honoring that right. A federal judge does not have the right to appear on a nationally televised program—watched by prospective jurors—and lambast a criminal defendant for lawfully exercising his constitutional right to criticize a pending criminal proceeding. Judge Walton should not have made the appearance, and we respectfully urge you to investigate and remedy this ethical violation—to prevent this from ever happening again.

We are seeing a dangerous pattern in which DC federal judges, like Beryl Howell and now Reggie Walton, have convinced themselves they have a duty—unbounded by the judicial canons—to make extrajudicial pronouncements about President Trump.¹³ But this is so much bigger than President Trump—or even one presidential election. These judges are setting a very dangerous precedent, which can get deployed against less wealthy and powerful defendants. The DC federal judges must get their house in order. Otherwise, Congress should do it for them.

Sincerely,

Mike Davis
Founder and President
Article III Project (A3P)

¹³ Katherine Doyle and Megan Lebowitz, *Rep. Elise Stefanik files complaint against judge who has ruled in Jan. 6 and Trump cases*, NBC, December 15, 2023, available at <https://www.nbcnews.com/politics/congress/elise-stefanik-files-complaint-judge-ruled-jan-6-trump-cases-r-cna129878> (last visited April 2, 2024).