

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

**Thurgood Marshall United States Courthouse
40 Foley Square, New York NY 10007
212.857.8585**

**DEBRA ANN LIVINGSTON
CHIEF JUDGE**

**CATHERINE O'HAGAN WOLFE
CLERK OF COURT**

December 16, 2024

Lidia M. Orrego
95-08 Queens Blvd., 3E
Rego Park, NY 11374

Re: *Judicial Conduct Complaints*, 02-24-90023-jm, 02-24-90027-jm

Dear Ms. Orrego:

Attached is a copy of the Chief Judge's order dismissing your complaints.

If you wish to file a petition for review, you must submit a letter addressed to the Clerk of Court that begins with "I hereby petition the judicial council for review of the Chief Judge's order . . ." See 28 U.S.C. § 352(c); Rules of Judicial-Conduct and Judicial-Disability Proceedings 18. You need not provide additional copies of materials already filed, as those materials will be part of the record transmitted to the Judicial Council.

The petition for review must be received in the Clerk's Office within 42 days of the date of this letter. A petition received after this deadline will not be accepted for filing. See Rules of Judicial-Conduct and Judicial-Disability Proceedings 18(d).

Very truly yours,
Catherine O'Hagan Wolfe, Clerk of Court

By: 
Dina Kurot
Deputy Clerk

Lidia M. Orrego
95-08 Queens Blvd., 3E
Rego Park, NY 11374

24-90023-jm, 24-90027-jm
December 16, 2024
Chief Judge



**JUDICIAL COUNCIL OF THE
SECOND CIRCUIT**

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In re
CHARGES OF JUDICIAL MISCONDUCT

Docket Nos. 24-90023-jm
24-90027-jm

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DEBRA ANN LIVINGSTON, *Chief Judge*:

In March and April 2024, the Complainant filed two complaints with the Clerk's Office of the United States Court of Appeals for the Second Circuit pursuant to the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351–364 (the "Act"), and the Rules for Judicial-Conduct and Judicial-Disability Proceedings (the "Rules"), charging a district judge and chief district judge of this Circuit with misconduct.

The Complainant has filed three previous complaints of judicial misconduct arising from the same subject matter; familiarity with the orders dismissing the previous complaints (22-90047-jm, 22-90048-jm, 23-90045) is assumed.

As relevant here, in 2020 the Complainant filed a lawsuit against her former employer and in 2023 she filed a separate lawsuit against the law firm representing her former employer. Both cases are assigned to the district judge.

The misconduct complaints are rambling—each contains more than 100 pages of attachments—but generally allege that the district judge has made various erroneous rulings and is biased against the Complainant, and that the chief district judge “aid[ed] and abett[ed]” misconduct by failing to ensure that the district judge followed the law.

The complaints are dismissed largely for the reasons given in the orders dismissing the Complainant’s prior complaints. That is, to the extent the Complainant challenges the district judge’s rulings, the allegations are dismissed as “directly related to the merits of a decision or procedural ruling.” 28 U.S.C. § 352(b)(1)(A)(ii); Rule 4(b)(1) (“Cognizable misconduct does not include an allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.”); 11(c)(1)(B). And to the extent the Complainant alleges that the district judge is biased as evidenced by rulings the Complainant regards as wrong, the allegation is dismissed as “lacking sufficient evidence to raise an

inference that misconduct has occurred.” Rule 11(c)(1)(D). Rulings for or against a party, without more, are not evidence of bias.

The allegation that the chief district judge aided and abetted the district judge’s misconduct—i.e., that the chief district judge was aware of the district judge’s alleged misconduct and failed to take appropriate corrective action—is dismissed as “lacking sufficient evidence to raise an inference that misconduct has occurred.” Rule 11(c)(1)(D). The Complainant does not identify misconduct by the district judge that the chief judge had a duty to correct or report.

The Complainant has now filed at least five meritless complaints of judicial misconduct arising from the same subject matter. She is again warned that further abuse of the judicial misconduct complaint process may result in the imposition of restrictions or conditions on its use. *See* Rule 10(a) (“A complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints.”).

The Clerk is directed to transmit copies of this order to the Complainant, the district judge, and the chief district judge.