

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

IN RE JUDICIAL COMPLAINT

Complainant: Julian Marcus Raven

Respondent: Judge Christopher R. Cooper

SUBJECT: Judicial Complaint Regarding Procedural and Substantive Handling of Case 22-cv-2809

TO: THE HONORABLE CHIEF JUDGE OF THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

INTRODUCTION

This judicial complaint is respectfully submitted pursuant to the Judicial Conduct and Disability Act of 1980, 28 U.S.C. § 351(a), which authorizes complaints against federal judges who have engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts. Complainant Julian Marcus Raven alleges that Judge Christopher R. Cooper, presiding over *Raven v. Sajet* (22-cv-2809), exhibited conduct and issued rulings that reflect partiality, procedural irregularity, and a lack of adherence to judicial standards of neutrality and diligence. These actions have undermined public confidence in the impartial administration of justice and prejudiced Complainant's right to a fair adjudication.

The chilling effect of Judge Cooper's conduct, caused Complainant to lose heart for his appeal and abandon any hope of securing justice and the vindication of his 1st Amendment Free-Speech rights.

ALLEGATIONS

1. Prejudicial and Dismissive Framing of the Case

In his memorandum opinion, Judge Cooper opened by stating, "This case is the latest skirmish in artist Julian Marcus Raven's long-running campaign against the Smithsonian Institution." The term "skirmish" trivializes the serious constitutional claims at the heart of the litigation and conveys a dismissive attitude toward the Plaintiff. Further, by labeling the litigation as part of a "long-running campaign," the Court unjustly characterizes the Complainant's legal efforts as antagonistic rather than legitimate attempts to seek

redress for alleged First Amendment violations. This framing signals an appearance of bias that undermines confidence in judicial impartiality.

2. Failure to Apply Supreme Court Precedent

Judge Cooper failed to conduct a detailed analysis of the two-prong test outlined by the U.S. Supreme Court in *Lindke v. Freed*, 601 U.S. 187 (2024), which governs whether a government official's social media activity constitutes state action. Specifically:

- The Court failed to address evidence demonstrating that Kim Sajat's Twitter account was used for Smithsonian-related communications and constituted state action under the *Lindke* test.
- The Court's reliance on Sajat's self-serving disclaimer that her account was personal disregarded precedent emphasizing the need to examine the historical and functional use of the platform (*Lindke*, 601 U.S. at 195).

3. Omission of Key Evidence

The Court ignored evidence related to Sajat's Instagram account, which, like her Twitter account, claimed to be personal but primarily promoted Smithsonian events and institutional messaging. This evidence directly supports the Plaintiff's contention that Sajat's social media platforms functioned as extensions of her official role and were subject to constitutional scrutiny. By disregarding this evidence, the Court demonstrated a lack of thoroughness and diligence.

4. Typographical Error and Indications of Haste

In the memorandum's concluding paragraph, Judge Cooper referred to Plaintiff Raven as "Rajet," a glaring typographical error that reflects either haste or a lack of attention to detail. While typographical errors can occur, such an error in reference to the Plaintiff's name suggests a deeper issue with the level of care applied to the case. Combined with the dismissive tone of the opinion, this error undermines confidence in the impartiality and thoroughness of the judicial process.

5. Failure to Address Smithsonian's Legal Status

A central issue in this litigation concerns the ambiguous legal status of the Smithsonian Institution, which claims to be both a private trust and a federally funded entity. This dual status has significant constitutional implications for First Amendment claims. Despite the importance of this issue, the Court failed to address it in any meaningful way, thereby evading a critical question that underpins both this and prior litigation involving the Smithsonian.

6. Judicial Delay in Resolving First Amendment Claims

Judge Cooper's delay in resolving the case following the Supreme Court's ruling in *Lindke v. Freed* reflects an unacceptable disregard for the Supreme Court's mandate that First Amendment cases be resolved expeditiously. The *Lindke* ruling was issued in March 2024, providing clarity on the legal framework for evaluating state action in social media cases. Despite this, Judge Cooper failed to issue a decision for over nine months, leaving Plaintiff Raven's constitutional rights in limbo.

The Supreme Court has repeatedly emphasized the necessity of swift adjudication in cases where individual speech rights hang in the balance (*Elrod v. Burns*, 427 U.S. 347, 373-74 (1976)). This judicial delay undermines the constitutional imperative of timely redress and further erodes confidence in the impartial administration of justice.

7. **Justice Delayed is Justice Denied** This case serves as a perfect example of judicial betrayal by running out the clock. Since Judge Cooper so obviously delayed justice in my case, ignoring SCOTUS' orders regarding the expeditious nature of decisions in 1st Amendment Free Speech cases, my rights were trampled and never vindicated.

This decision should have been made immediately upon the issuance of the verdict in *Lindke v Freed* as stated by the court as the reason for the initial delay which would have been excusable. But further deliberate delay, in the light of multiple efforts of mine to compel the stated execution upon the expected ruling, compounded the violations of one of America's most cherished rights, the expressive rights of artists and their freedom to express their political ideas through their art, and to participate in a government run gallery. This right is known as the highest rung of guaranteed First Amendment Free-Speech rights for which the very amendment was designed, to protect every political opinion and yet in my case my very rights have been repeatedly extinguished. Not only by the partisan actors in the Smithsonian, but then by the partisan actors in the federal judiciary whose deliberate and calculated actions forced my silence, perpetuating my injury.

My interlocutory actions petitioning the U.S. Supreme Court to enforce their order upon Judge Cooper for expedited adjudication of 1st Amendment claims, triggered Judge Cooper's irrational behavior who must be held to account. Because ultimately, what was clearly my legal victory was snuffed out and then with the recent resignation of the partisan actor, my rights were never vindicated.

The proof, available for all to see is in the media's coverage who glazed over Director Sajat's partisan actions, painting her as a faithful bureaucrat, resigning for the good of the Smithsonian and a poor victim of a mean president. The truth though of her partisanship could not have been more striking were the judge to have followed the law. It would then have been inescapable for the media, especially if Judge Cooper had found Sajat to be a violator of sacred fiduciary duties and free-speech rights to rightly describe her as a partisan and vindicate the president's reasons for her dismissal and plaintiff's trampled First Amendment free-speech rights.

VIOLATIONS OF JUDICIAL STANDARDS

The conduct described above constitutes violations of the Code of Conduct for United States Judges, specifically:

- **Canon 1:** A judge should uphold the integrity and independence of the judiciary. By employing prejudicial language and failing to conduct a thorough and impartial analysis, Judge Cooper undermined public confidence in the judiciary.

- **Canon 2:** A judge should avoid impropriety and the appearance of impropriety in all activities. The dismissive framing of the case and the disregard for key evidence create the appearance of partiality.
 - **Canon 3:** A judge should perform the duties of the office fairly, impartially, and diligently. The lack of adherence to Supreme Court precedent, the failure to address critical evidence and issues, and the significant delay in resolving the case demonstrate a lack of diligence and fairness.
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REQUEST FOR RELIEF

Complainant respectfully requests the following relief:

1. An investigation into Judge Cooper's conduct and handling of *Raven v. Sajet* (22-cv-2809) to determine whether it violated judicial standards of impartiality and diligence.
 2. Any other appropriate measures to ensure the fair and impartial administration of justice in this case and future proceedings, regardless of possible mootness due to the resignation of Smithsonian National Portrait Gallery director Kim Sajet.
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SUPPLEMENTAL NOTE REGARDING ADJUDICATION AND JUDICIAL INTEGRITY

Since the original filing of this judicial misconduct complaint, new and urgent circumstances have arisen that directly implicate the integrity and impartiality of the review process itself. As of July 27, 2025, the Department of Justice has filed a formal misconduct complaint against Chief Judge James E. Boasberg, the judicial officer currently tasked with reviewing this complaint under 28 U.S.C. § 351(a).

The DOJ's complaint alleges that Judge Boasberg made publicly prejudicial and politically charged comments about the Trump Administration during a March 2025 Judicial Conference, improperly influencing federal judges and attempting to manipulate judicial consensus in matters where President Trump was a litigant. The Supreme Court subsequently vacated Boasberg's erroneous rulings, exposing conduct that the DOJ now deems as violating Canons 1, 2(A), and 3(A)(6) of the Code of Judicial Conduct.

Given that President Trump is listed as a central figure in the litigation related to this complaint—specifically as the actor who dismissed former National Portrait Gallery Director Kim Sajet for partisan misconduct that directly overlaps with the issues in this case—it is entirely inappropriate for a judge currently under investigation for bias against President Trump to preside over or adjudicate a related judicial misconduct matter.

My case (Raven v. Sajet, 22-cv-2809 CRC) addresses serious constitutional concerns involving First Amendment rights, federal trust law, and the legal status of the Smithsonian Institution. The impartiality of the court—at every level—is critical. To that end, and in light of the DOJ's extraordinary action against Chief Judge Boasberg, I respectfully request immediate reassignment of this complaint to Chief Judge Sri Srinivasan of the D.C. Circuit Court of Appeals.

Allowing Judge Boasberg to evaluate this complaint under the current circumstances would represent a conflict of interest, an appearance of impropriety, and a gross violation of the principles of judicial neutrality that this very complaint seeks to uphold.

A handwritten signature in black ink, appearing to read "Julian Marcus Raven". The signature is stylized with a large, sweeping "J" and "R".

Respectfully submitted,
Julian Marcus Raven

DATED: June 28th, 2025

Office of the Circuit Executive, E. Barrett Prettyman U.S. Courthouse, 333 Constitution Avenue, NW, Washington, D.C. 20001