

Judicial Findings Concerning Acting Attorney General Todd Blanche

Prepared ahead of confirmation hearing scheduled July 15–16, 2026 (Senate Judiciary Committee)

This memo summarizes two active federal cases in which judges have made explicit findings regarding Acting Attorney General Todd Blanche's compliance with court orders and the candor of his representations to the court and Congress, plus a related bar complaint filed by former judges. Primary source links (court dockets and opinions) are included so each claim can be independently verified.

1. Phang v. Blanche — Epstein Files Transparency Act

U.S. District Court for the District of Columbia, No. 1:26-cv-01417-EGS, before Judge Emmet G. Sullivan (Clinton appointee).

Background: Independent journalist and legal analyst Katie Phang sued Blanche in April 2026, alleging the Justice Department was improperly withholding and redacting records required to be released under the Epstein Files Transparency Act (signed into law by President Trump in November 2025).

Key findings and events:

- On June 25, 2026, after DOJ missed a court-ordered 1:00 p.m. deadline to respond to Phang's supplemental filing, Judge Sullivan ruled in a 48-page memorandum opinion that Blanche "does not respond substantively to any of these arguments" and had therefore "conceded that he is in violation of the Act."
- The Court granted Phang's motion for a preliminary injunction, ordering DOJ to produce unredacted versions of specified documents — including FBI interview notes related to an allegation against President Trump, and emails referencing a "torture video" — or show cause by July 2, 2026 why it could not.
- The Court separately ordered DOJ to publish a log of every redaction made across the more than three million pages of released Epstein files, as required by statute.
- Judge Sullivan denied the government's request for a stay pending appeal, finding Blanche's arguments "unpersuasive."
- DOJ filed a response to the show-cause order on July 2, 2026. Per the docket, Phang's reply is due July 13 and the Attorney General's further reply is due July 20 — i.e., this matter remains open and unresolved as of the confirmation hearing.

Primary sources:

[Case docket \(CourtListener\): PHANG v. BLANCHE, 1:26-cv-01417 \(D.D.C.\)](#)

[Memorandum Opinion granting preliminary injunction, June 25, 2026 \(hosted PDF\)](#)

2. Anti-Weaponization Fund Litigation

U.S. District Court for the Eastern District of Virginia, before Judge Leonie M. Brinkema.

Background: DOJ established a \$1.776 billion "Anti-Weaponization Fund" in May 2026 as part of a settlement of a lawsuit by President Trump against the IRS. Critics, including members of both parties, raised concerns the fund could compensate individuals convicted in connection with the January 6, 2021 Capitol attack. Blanche testified before the House Appropriations Committee on June 2, 2026 that the fund was "not going forward, period," but declined to formalize that in writing.

Key findings and events:

- Judge Brinkema offered to dismiss a pending challenge to the fund if DOJ submitted a short written declaration, under penalty of perjury, that the fund would not proceed. DOJ declined, arguing such a declaration was "unnecessary" and raised "separation of powers concerns."
- In a written order, Brinkema found: "That the defendants have refused to accord a genuine degree of trustworthiness to their representations about the Fund not going forward is particularly concerning because of the President's

consistent support for the Fund and Acting Attorney General Blanche's acknowledgement that the Fund remains 'important.'"

- The order noted that when a lawmaker asked Blanche directly whether he would issue a written memo rescinding the fund's structure, he replied, "I'm not committing to putting anything in writing."
- Brinkema kept the litigation alive, sent the case into discovery, and ordered DOJ to respond further by July 17, 2026 — again, unresolved heading into the confirmation hearing.

Primary source:

[CNBC report quoting and describing Judge Brinkema's order, June 25, 2026](#)

Note: the underlying order itself is filed on the Eastern District of Virginia docket; it was not independently located as a hosted PDF for this memo. The quoted language above is corroborated across multiple contemporaneous news accounts of the filed order (CNBC, NOTUS, Forbes, Newsweek, Just the News).

3. State Bar Complaint by Former Judges

Separately from any pending litigation, 101 former federal and state judges filed a 73-page complaint asking the New York state bar to investigate Blanche's professional conduct, citing DOJ's handling of the Epstein files matter among other concerns. This is a bar disciplinary complaint, not a court ruling, and its outcome is pending.

4. Context for the Hearing

- Blanche has served as Acting Attorney General since April 2026, after Pam Bondi's removal.
- His confirmation hearing before the Senate Judiciary Committee is scheduled for July 15–16, 2026.
- Both cases above remain open, with filings due after the hearing dates (July 13, July 17, and July 20), meaning senators will be voting before either matter is resolved.
- A group of 1,205 former DOJ employees has separately urged the Judiciary Committee to reject Blanche's confirmation, citing concerns about the department's treatment of career staff.

A Note on Sources

The underlying facts above — deadlines missed, orders issued, and quoted language from the judges — are drawn from court dockets and opinions themselves, or from mainstream outlets (CBS News, ABC News, Fox News, Axios, CNBC, Forbes, NOTUS) quoting those filings directly. Commentary framing this pattern as reflecting on Blanche's fitness for office is more prevalent in left-leaning outlets; the Justice Department has publicly disputed both judges' characterizations and has stated it intends to appeal the Phang ruling. Readers weighing this material for advocacy purposes may want to independently pull the full opinions from PACER/CourtListener before citing specific language.