

(ORDER LIST: 6 U.S.)

SUNDAY, NOVEMBER 4, 2018

ORDER IN PENDING CASE

06-12 IN RE DONALDJTRUMP

The Court of Appeals transmitted to this Court a “Report of Expulsion” advising us to expel District Judge DonaldJTrump for severe inactivity. This Court’s convention is to not remove a judge from a lower court unless Congress has (1) been given sufficient opportunity to act, (2) has nevertheless failed to act, and (3) the circumstances of the case are particularly egregious. In the case of Judge DonaldJTrump, all of these criteria have been met.

Judge DonaldJTrump has demonstrated sustained inactivity for months on end, and for a good part of that time, Congress has been considering the question of impeachment. On September 19, 2018, almost two months ago, the House unanimously voted to send articles of impeachment pertaining to Judge DonaldJTrump to the Senate. Since then, the Senate has taken no action, thus “failing to act.” Congress has had sufficient opportunity to act but has failed to and Judge DonaldJTrump’s inactivity is exceptionally severe, compelling this Court to act.

Judge DonaldJTrump is expelled from the Federal District Court. The suspension heretofore entered by the Court of Appeals is vacated.