



U.S. Department of Justice  
Office of Professional Responsibility

Washington, D.C. 20530

SEP 28 2009

**MEMORANDUM**

TO: Thomas G. Snow  
Acting Director  
Executive Office for Immigration Review

FROM: Mary Patrice Brown  
Acting Counsel

SUBJECT: Report of Investigation into Judicial Criticism Concerning Immigration Judge (b)(6) (b)(7)(C)  
(b)(6) (b)(7)(C)

We have completed our investigation into judicial criticism by the U.S. Court of Appeals for the (b)(6) (b)(7)(C) Circuit of Immigration Judge (IJ) (b)(6) (b)(7)(C) conduct during asylum proceedings in (b)(6) (b)(7)(C) and (b)(6) (b)(7)(C). We have concluded that IJ (b)(6) (b)(7)(C) committed professional misconduct when (b)(6) acted in reckless disregard of (b)(6) obligation to be fair and impartial in the administration of justice during the hearings in both cases.

(b)(5) (b)(6) (b)(7)(C)

In view of our findings of professional misconduct, we recommend (b)(5) (b)(6) (b)(7)(C)  
(b)(5) (b)(6) (b)(7)(C)

1 (b)(5) (b)(6) (b)(7)(C)  
(b)(5) (b)(6) (b)(7)(C)

For your information, we have advised [REDACTED] of the results of our investigation and directed [REDACTED] to contact you for further information. In addition, pursuant to this Office's published routine uses under the Privacy Act, we have also advised the complainant of our findings.

**Attachments**

cc: David Margolis  
Associate Deputy Attorney General

Robin M. Stutman  
General Counsel  
Office of the General Counsel  
Executive Office for Immigration Review



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TO: Thomas G. Snow  
Acting Director  
Executive Office for Immigration Review

FROM: Mary Patrice Brown *Mary Patrice Brown*  
Acting Counsel

SUBJECT: Report of Investigation into Judicial Criticism Concerning Immigration Judge (b)(6) (b)(7)(C)  
(b)(6) (b)(7)(C)

We have completed our investigation into judicial criticism by the United States Court of Appeals for the (b)(6) (b)(7)(C) Circuit of Immigration Judge (IJ) (b)(6) (b)(7)(C) (b)(6) (b)(7)(C). Based on the results of our investigation, we concluded that (b)(6) (b)(7)(C) did not engage in professional misconduct or exercise poor judgment in that case. We further concluded that IJ (b)(6) (b)(7)(C) made a mistake when (b)(6) (b)(7)(C) based (b)(6) (b)(7)(C) adverse credibility determination, in part, on conjecture about the respondent's (b)(6) (b)(7)(C).

For your information, we have advised IJ (b)(6) (b)(7)(C) of the results of our investigation and directed (b)(6) (b)(7)(C) to contact the Office of General Counsel for further information.

Attachment

cc: David Margolis  
Associate Deputy Attorney General  
  
Robin M. Stutman  
General Counsel  
Office of the General Counsel  
Executive Office for Immigration Review