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COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

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April 8, 2015

The Honorable Ed Carnes
Chief Judge
United States Court of Appeals,
Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

The Honorable Gerald Tjoflat
U.S. Circuit Judge
United States Court of Appeals,
Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Chief Judge Carnes and Judge Tjoflat:

I am writing to request an update on the status of the investigation by a special panel of the United States Court of Appeals for the Eleventh Circuit into alleged misconduct by United States District Court Judge Mark E. Fuller of the United States District Court for the Middle District of Alabama.

It has come to my attention that a special committee of the Eleventh Circuit, whose members were appointed by the Eleventh Circuit's Acting Chief Judge, has been conducting an investigation into a complaint against Judge Fuller. The filing of this complaint, which reportedly stems from Judge Fuller's arrest last August on a state criminal charge involving allegations of spousal abuse, raises serious questions, and, if true, the allegations may significantly undermine his ability to serve as a judge.

Congress has an interest in the expeditious resolution of the investigation, as federal law dictates certain procedures that must be followed when the judiciary launches an investigation of a complaint against a federal judge. Specifically, under the Judicial Improvements Act (28 U.S.C. § 353), after investigating such a complaint, a special committee appointed by the chief judge of a circuit must produce a comprehensive written report, which presents the findings of the investigation and the committee's recommendations for necessary and appropriate action.

I request that you provide this Committee with an update on the status of your investigation and the date by which you expect to have issued the comprehensive written report that is required by statute. Thank you in advance for your prompt response.

Sincerely,



Charles E. Grassley
Chairman