

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 09-cv-300-SM

Elaine A. Brown

**ORDER OF RECUSAL**

While this case does not involve allegations of threats made against me (which would unquestionably warrant recusal), given earlier public statements attributed to the defendant of a threatening character, and directed at me, I conclude that a reasonable person fully informed of the pertinent facts might understandably question my ability to remain impartial were I to preside. While I have no doubt about my own ability to be impartial, I think the public interest is better served by my recusal and reassignment of this case to a different judge to avoid the risk of even an appearance of partiality.

The Clerk shall reassign the matter to a different judge.

**SO ORDERED.**

  
Steven J. McAuliffe  
Chief Judge

September 4, 2009

cc: Julie C. Avetta, Esq.