

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BILL LIETZKE,

Plaintiff,

V.

CITY OF MONTGOMERY, et al.,

Defendants.

CASE NO. C17-1317-JLR

ORDER ON REVIEW OF MOTION TO RECUSE

On October 4, 2017, Plaintiff Bill Lietzke filed an apparent proposed order in this matter.

See Dkt. #6. The Court interpreted Mr. Lietzke's filing as seeking in part the recusal of Judge James L. Robart. Dkt #8. Judge Robart has declined to recuse himself and, in accordance with this Court's Local Rules, referred that decision to the Chief Judge for review. *Id.*; LCR 3(e).

A judge of the United States shall disqualify himself in any proceeding in which his impartiality “might reasonably be questioned.” Federal judges also shall disqualify themselves in circumstances where they have a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28 U.S.C. § 455(b)(1). Mr. Lietzke’s proposed order provides no allegations, let alone evidence, of bias or prejudice against him on the part of the Court. *See* Dkt. #6. Nor does Mr. Lietzke cite to any proper basis in statute or case law for recusal. In the absence of any allegations that Judge Robart “has a personal bias

1 or prejudice either against [Mr. Lietzke] or in favor of any adverse party" (28 U.S.C. § 144), served
2 as a lawyer in this controversy while in private practice (*id.*, § 145), or has a financial interest in
3 the litigation (*id.*), there is no basis for recusal and Judge Robart was justified in declining to do
4 so.

5 Accordingly, the Court hereby finds and ORDERS that Judge Robart's refusal to recuse
6 himself from this matter is AFFIRMED and Mr. Lietkze's motion (Dkt. #6) is DENIED. The
7 Clerk shall provide a copy of this Order to Mr. Lietzke.

8 DATED this 23 day of October, 2017.

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11 RICARDO S. MARTINEZ
12 CHIEF UNITED STATES DISTRICT JUDGE
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