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June 10, 2026

Office of Disciplinary Counsel
District of Columbia Court of Appeals
515 5th Street NW
Building A, Suite 117
Washington, D.C. 20001

RE: Complaint regarding Attorney Theodore (Jack) Metzler's potential violation of the D.C. Rules of Professional Conduct

To Whom It May Concern,

This complaint addresses potential violations of the D.C. Bar Rules of Professional Conduct by Theodore (Jack) Metzler (D.C. Bar No. 486339),¹ a D.C. attorney, former FTC attorney, and current Senior Assistant Disciplinary Counsel for the Office of Disciplinary Counsel of the D.C. Bar.²

I. Who We Are

The Center to Advance Security in America (CASA) is a nonpartisan organization dedicated to improving the safety and security of the American people. CASA educates and informs the American people about the actions of their government and its officials that impact their safety; peace and security; democracy, civil rights, and civil liberties; and privacy.

II. Background

The potential violations are related to Metzler's involvement as prosecuting counsel in an ethics investigation against now-U.S. Pardon Attorney Edward R. Martin, Jr. The Office of Disciplinary Counsel alleges that Martin violated his oath to support the U.S. Constitution by inquiring to the Georgetown University Law Center (GULC) about unlawful diversity, equity,

¹ D.C. Bar, "Member Directory," accessed June 1, 2026, <https://my.dcbars.org/directorymemberships?id=0014z00001kaz9SAAQ>; Kaelan Deese, "DC Bar lawyer withdraws from Ed Martin disciplinary case after partisan posts surface," *Washington Examiner*, May 18, 2026, <https://www.washingtonexaminer.com/news/justice/4573439/dc-bar-lawyer-withdraws-from-ed-martin-case/>.

² D.C. Bar, "Office of Disciplinary Counsel Staff," accessed June 1, 2026, <https://www.dcbars.org/attorney-discipline/office-of-disciplinary-counsel/office-of-disciplinary-counsel-staff>.



and inclusion practices while in his previous, official capacity as Interim U.S. Attorney for the District of Columbia.³

On January 21, 2025, President Trump signed Executive Order No. 14173—requiring federal agencies to terminate their own racial-discrimination programs, encouraging the private sector to do the same, and instructing compliance with federal-grant requirements of no funding for entities that discriminate unlawfully.⁴ Consistent with this directive, on February 17, 2025, Martin sent a letter to the GULC dean informing him that a whistleblower raised concerns about racial discrimination at the school and asked whether GULC had, consistent with Executive Order No. 14173, eliminated any and all programs of racial discrimination.⁵

On March 17, 2025, after receiving argument—not answers—to his questions, Martin sent an additional letter to the Georgetown University interim President and Chairman of the Board of Directors.⁶

Martin at all times was simply asking questions about racial equality that were routinely dismissed. No legal action was ever filed regarding Martin’s inquiries, and Martin’s inquiries ended there.⁷

Prior to joining the matter related to the Republican-appointed, then-Interim U.S. Attorney Martin, Metzler displayed an abhorrent degree of prejudice and bias against conservatives in a series of now-deleted social media posts. These include:

- Posting that “It is unethical to engage with anti-vaxxers and people who claim there is a debate about birthright citizenship. Some ideas are so toxic the only permissible response is shunning and perhaps ridicule”;
- Calling Justice Alito a “Natural Born Fool”;
- Stating that “every Justice except Jackson is dead to [him]”;
- Bemoaning that “We are so cooked” on one of many occasions that the D.C. Circuit recently vacated an order by Chief Judge Boasberg; and
- Quipping that “SCOTUS be like oh we don’t care if u disappear people off the street.”⁸

³ Specification of Charges at 2–4, *In the Matter of Edward R. Martin, Jr.*, Disciplinary Dkt. No. 2025-D047 (Mar. 6, 2026), <https://www.dcbbar.org/ServeFile/GetDisciplinaryActionFile?fileName=2026-03-06SpecificationMartin.pdf>.

⁴ President Donald J. Trump, “Ending Illegal Discrimination and Restoring Merit-Based Opportunity,” E.O. 14173, 90 Fed. Reg. 8633 (Jan. 31, 2025), <https://www.govinfo.gov/content/pkg/FR-2025-01-31/pdf/2025-02097.pdf>.

⁵ *In re Martin*, 2-4.

⁶ *Ibid.*

⁷ *Ibid.*

⁸ Compl. for Decl. and Injunctive Relief at 18–21, *United States of America v. Fox et al.* (D.D.C. May 13, 2026), <https://www.justice.gov/opa/media/1440681/dl>.



Metzler created the above posts on a Bluesky account that he additionally used to conduct his official responsibilities for the Office of Disciplinary Counsel including soliciting job applications.⁹

After Metzler's vitriolic social-media posts resurfaced in May of 2026, Metzler withdrew his appearance in the prosecution of Republican-appointed Martin.¹⁰

III. Ethics Standards

In D.C., it is misconduct for a lawyer to "[e]ngage in conduct involving dishonesty, fraud, deceit, or misrepresentation."¹¹ Additionally, a D.C. lawyer may not "[e]ngage in conduct that seriously interferes with the administration of justice."¹² It is an interference with the administration of justice if one's conduct is "offensive, abusive, or harassing conduct that interferes with the administration of justice."¹³

Finally, the D.C. Local Hatch Act prohibits any individual paid by the D.C. government, including members of the Office of Disciplinary Counsel, from "the use of official authority or influence to affect the results of an election."¹⁴ The same individuals "are prohibited from engaging in political activity, without regard to jurisdiction, on a personal social media account when they are on duty or official time."¹⁵

IV. Analysis

Attorneys subject to ethics investigations rightfully expect impartiality and fairness. Metzler gave the appearance of an impartial attorney yet began prosecuting a case in which the evidence shows he retained neither. Metzler then withdrew his appearance once his bias was exposed. The District of Columbia should be above these dishonest and deceitful games.

Here, Metzler instituted a Bar-enforcement action against Martin because he engaged in inquiry duties as part of his role as then-Interim U.S. Attorney. A whistleblower informed Martin that GULC could be defying federal law, and Martin, as charged by his office at the time, sent a

⁹ Ibid, 20.

¹⁰ Kaelan Deese, "DC Bar lawyer withdraws from Ed Martin disciplinary case after partisan posts surface," *Washington Examiner*, accessed May 29, 2026, <https://www.washingtonexaminer.com/news/justice/4573439/dc-bar-lawyer-withdraws-from-ed-martin-case/>.

¹¹ Rule 8.4(c).

¹² Rule 8.4(d).

¹³ Rule 8.4, cmt. [3].

¹⁴ D.C. Official Code § 1–1171.01 et seq. Prohibition on Government Employee Engagement in Political Activity Act of 2010; see also Rule 9 of the Council of the District of Columbia, (a)(5), Council Code of Official Conduct, which contains parallel language as the Local Hatch Act.

¹⁵ Advisory Opinion 1559-001 Social Media and the Code of Conduct, January 26, 2017, <https://bega.dc.gov/publication/1559-001-social-media-and-code-conduct>.



letter to GULC seeking clarity regarding any race-consciousness in its hiring, training, and pedagogical practices. There is nothing illegal or unethical about Martin’s duties. In fact, he was doing exactly what his position demanded, consistent with the agenda provided to him. Executive Order No. 14173 commanded federal agencies to terminate their own programs of racial discrimination and charged federal officials with continuing their statutory duty of not permitting federal funding to entities that unlawfully discriminate.

Metzler’s conduct may constitute “dishonesty” and a “misrepresentation” regarding the impartiality of the Martin investigation. Further, Metzler’s potentially biased and targeted prosecution—only to withdraw his appearance after his bias was exposed—“seriously interferes with the administration of justice.”

Metzler portrays to his constituents that a Bar investigation is an ordered, fair process intended to uncover the truth of potential Bar violations and instill good behavior among D.C. Bar attorneys. However, Metzler flaunted this representation by then spearheading the prosecution of a political actor who engaged in legally required duties simply for engaging in activities that Metzler may have politically opposed. Metzler engaged in the enforcement action even though he knew of his own longstanding disdain for the victim of his action, Mr. Martin. Pursuing a biased, targeted prosecution—when Metzler and the Office of Disciplinary Counsel portray fairness and impartiality—is a deceitful act that traps unwitting attorneys into a Bar investigation where there’s a desired outcome that’s predetermined based on prejudice.

Truthfully, if one takes Metzler’s actions at face value, the fact that Metzler withdrew his appearance in the prosecution of Martin just *days* after Metzler’s deleted social media posts resurfaced indicates that Metzler knew that prosecuting Martin in light of his past comments was potentially deceitful and seriously interfered with the administration of justice. However, that was not a decision that Metzler made at the outset of the prosecution. Instead, his withdrawal was a decision of convenience intended to cover the tracks of a biased and targeted ethics investigation against an attorney charged with nothing more than actions taken that differ from Metzler’s preferred political ideologies.

Additionally, the Local Hatch Act prohibits an employee of D.C.’s Bar seeking to influence elections or engaging in political activity while on duty or on social media accounts used for official responsibilities. Here, Metzler’s series of Bluesky posts regarding federal politics squarely implicate the Local Hatch Act’s prohibition of political activity. This is particularly true because the Bluesky account that Metzler used to promulgate these political activities was the same account he used to execute his official Office of Disciplinary Counsel duties, including soliciting job applications. This violates Rule 8.4(d) because it is conduct that is “offensive, abusive [and] harassing.” While the Comment only references race, sex, religion, national origin, disability, age, sexual orientation or socioeconomic status, those factors are



inclusive, not exhaustive. Given that political activity and bias while on government time is explicitly made illegal, using your government position to “harass” a federal employee over political differences surely falls within the scope of Rule 8.4(d).

Conclusion

Metzler should be investigated by the D.C. Bar. He openly executed an enforcement action against a political actor for legal, political duties while he covertly held vitriolic political animus against him. Metzler’s acts against Martin may constitute “dishonesty” and “misrepresentation” because the Bar Disciplinary Counsel represents itself as non-partisan. Hiding his animus toward Martin and those like Martin under the guise of Bar disciplinary counsel is dishonest, and Metzler misrepresenting his motive to harass political opponents seriously interferes with the administration of justice.

Attorneys of the Bar need to trust that their disciplinary system is fair and unbiased, and Metzler’s potentially targeted enforcement of political opponents reflects adversely on his fitness to practice law. These facts warrant further inquiry as to the scope of Metzler’s involvement in similar cases of political prejudice and, if appropriate, Bar discipline.

Thank you for your attention to this matter.

Sincerely,

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