

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-22-90069

JCP No. 08-22-90070

JCP No. 08-22-90071

JCP No. 08-22-90072

JCP No. 08-22-90077

In re Complaint of John Doe¹

These are judicial complaints filed by a pro se litigant (“complainant”) against four United States district judges and a United States magistrate judge.

The allegations set forth in the first four judicial complaints are identical and are made against three district judges and a magistrate judge. In summary, the complainant alleges that the complainant “has been the victim of biotech, human experimentation, debt bondage, enslavement, illegal surveillance, hate crimes, forced termination of jobs, illegal search and seizure, torture, persecutions, etc., for more than a decade here in the U.S.” According to the complainant, despite “suing various entities since 2016,” the complainant has yet to receive “justice.” The complainant alleges that “the judges in this court are literally wanting [the complainant] to tell everything and then make it public due to [the complainant’s] faith, race, special character[istics], and also to make [the complainant] provide . . . valuable information for public use.” The complainant maintains that “years of denial of access to justice made [the complainant] believe that the judges are intentionally discriminating

¹Under Rule 4(f)(1) of the Rules Governing Complaints of Judicial Misconduct and Disability of the Eighth Circuit, the names of the complainant and the judicial officer complained against are to remain confidential, except in special circumstances not here present.

against [the complainant] based on . . . race, religion, talents, natural gifts or special character[istics], and national origin.”

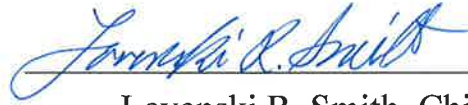
The last judicial complaint alleges that the complainant “has mov[ed] the [district judge] for the appointment of counsel since 2017.” It further alleges that the district judge’s restriction of the complainant “from filing lawsuit for . . . what defendants ha[ve] done to [the complainant] is [the] deliberate blocking of accessing justice based on race, faith, ethnicity, special character[istics], and other protected classes.” According to the judicial complaint, the complainant “has . . . provid[ed] more than enough substantial evidence[] that supports [the] complaints and [they] can never be called frivolous.”

I have reviewed the record. *See* Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rule 11(b). With regard to the allegations set forth in the first four judicial complaints, the record shows that the judges’ dismissed the complainant’s cases, some with prejudice and some without prejudice. With regard to the allegations set forth in the fifth judicial complaint, the record shows that the complainant “was restricted from filing new cases in the District unless [the complainant] is represented by counsel or receives prior written authorization from a judicial officer.” The complainant requested that the district judge authorize the filing of a new civil action. The district judge denied the request for authorization, concluding “that the proposed civil action lacks an arguable basis either in fact or in law and therefore is frivolous.”

I conclude that to the extent that the judicial complaints’ allegations challenge the judges’ orders, they must be dismissed as “directly related to the merits of a decision or procedural ruling.” 28 U.S.C. § 352(b)(1)(A)(ii); *accord* J.C.U.S. Rules 4(b)(1), 11(c)(1)(B). To the extent the judicial complaints allege that the judges conspired, colluded, or discriminated against the complainant, the allegations must be dismissed as “lacking sufficient evidence to raise an inference that misconduct has occurred.” 28 U.S.C. § 352(b)(1)(A)(iii); *accord* J.C.U.S. Rule 11(c)(1)(C), (D).

Accordingly, the judicial complaints are dismissed.

October 24, 2022

A handwritten signature in blue ink, reading "Lavenski R. Smith", written over a horizontal line.

Lavenski R. Smith, Chief Judge
United States Court of Appeals
for the Eighth Circuit