

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

---

JCP No. 08-22-90076

---

In re Complaint of John Doe<sup>1</sup>

This is a judicial complaint filed by a civil defendant (“complainant”) against the United States district judge assigned to the complainant’s case.

The judicial complaint alleges that the district judge showed “bias” against the complainant by “granting most all motions in favor of [the civil plaintiff] while denying most all motions and evidence entered by [the complainant.” According to the judicial complaint, once the civil plaintiff’s fraud “became obvious to [the district judge,] [the district judge] immediately ordered that [c]omplainant was no longer allowed to file any additional documents in this case other than maybe an appeal.” The judicial complaint labels the district judge’s actions as “the most biased, abuse of discretion and judicial impropriety imaginable,” resulting in the complainant’s denial of due process. The judicial complaint claims that the district judge “has violated both state and federal laws . . . in breach of [the] oath of office.” And, the judicial complaint alleges, the district judge has “unlawfully compromised [c]omplainant’s freedom of speech in court.”

---

<sup>1</sup>Under 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.

Having reviewed the record,<sup>2</sup> I conclude that to the extent that the judicial complaint challenges the district judge’s various orders, the allegations 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 complaint alleges that the district judge showed bias against the complainant or engaged in other unlawful misconduct, the allegations are “frivolous” and “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).

November 9, 2022



---

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

---

<sup>2</sup>See Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rule 11(b).