

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-23-90080

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In re Complaint of John Doe¹

These are judicial complaints filed by an appellant (“complainant”) against two of the United States circuit judges assigned to the complainant’s appeal.

The judicial complaints allege that the circuit judges “suborn[ed] perjury and conspir[ed]” against the complainant. The complainant identifies several statements in the opinion of the circuit judges as evidence of the alleged conspiracy.

To the extent the judicial complaints’ allegations challenge the opinion of the circuit judges, 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* Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rules 4(b)(1), 11(c)(1)(B). To the extent the judicial complaints allege that the circuit judges suborned perjury or conspired against the complainant, such allegations are “frivolous, 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).

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.

The judicial complaint is dismissed.

July 18, 2023



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