

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-23-90088

In re Complaint of John Doe¹

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

The judicial complaint alleges that the district judge, in revoking the complainant’s supervised release, “approv[ed] unsupported and fabricated arrest warrants submitted by [a probation officer]” who was “recently terminated for falsifying job-related materials.” According to the judicial complaint, “clear grounds” exist “for an open and vigorous investigation into this matter due to [the probation officer’s] now exposed criminal conduct and expected indictment.”

The judicial complaint does not identify any actual misconduct by the district judge; instead, the complainant merely speculates that the district judge engaged in such misconduct. The judicial complaint’s allegations against the district judge are “frivolous, lacking sufficient evidence to raise an inference that misconduct has occurred.” 28 U.S.C. § 352(b)(1)(A)(iii); *accord* Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (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 complainants and the judicial officer complained against are to remain confidential, except in special circumstances not here present.

The judicial complaint is dismissed.

8/15, 2023



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