

## JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

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JCP No. 08-25-90024

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In re Complaint of John Doe\*

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This is a complaint of judicial misconduct by a *pro se* plaintiff against a district judge who is assigned to her civil action.

The complainant alleges that the judge committed misconduct by delaying a ruling on the complainant's motion for summary judgment and by cancelling a hearing on the parties' motions for summary judgment. The complainant also alleges that the judge broke a local rule by giving the defendant extra time to respond to the complainant's motions.

The record shows that the complainant filed a motion for summary judgment on November 22, 2024. The judge scheduled briefing deadlines and a motion hearing for March 5, 2025. The defendant filed a timely motion for summary judgment on January 15, 2025. On the date of the hearing on the motions, the courthouse was closed due to inclement weather. In a text order, the judge cancelled the hearing and stated that she would decide the motions "on the papers without a hearing." Two weeks later, on March 19, 2025, the judge granted the defendant's motion for summary judgment, denied the complainant's motion for summary judgment, and dismissed the complainant's claim with prejudice.

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\*Under Rule 24(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, the names of the complainant and the subject judge are not disclosed. Citations or references herein to a "Rule" refer to these Rules.

The allegation about the judge’s decision to cancel the hearing must be dismissed as “directly related to the merits of a decision or procedural ruling.” 28 U.S.C. § 352(b)(1)(A)(ii); Rule 11(c)(1)(B). The allegation about delay in reaching a decision regarding summary judgment is dismissed as merits-related because there is no evidence of habitual delay or improper motive. *See* Rule 4(b)(2). The allegations are otherwise “lacking sufficient evidence to raise an inference that misconduct has occurred.” Rule 11(c)(1)(D).

For these reasons, the judicial complaint is dismissed.

/s/ Steven M. Colloton  
Chief Judge

Filed: October 6, 2025

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