

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-21-90060

In re Complaint of John Doe*

This is a complaint of judicial misconduct by a pro se plaintiff against a magistrate judge who was assigned to his civil case.

The complainant alleges that even though he asked the judge to recuse herself, “the judge continued to guide discovery with predictable bias.” The complainant states that the “only direct evidence of her bias and prejudice was a conversation in the initial discovery meeting,” when she told opposing counsel that she “would accept a dispositive motion very early.” The complainant alleges that by doing so, the judge was trying “to short circuit the case.”

The record shows that the complainant filed a lawsuit against a law school and its board members alleging that they unlawfully discriminated against him on the basis of disability in denying him admission. He filed a motion to disqualify the judge, asserting that she could not “shake off the appearance of bias,” because she was an “employee” at the law school and worked with and for the defendants. The judge denied the motion, stating that the complainant’s assertions were based on mistaken facts. The judge explained that she had not been employed by the school since more than three years earlier, and she had no personal relationship with any of the defendants. About sixteen months later, the defendants filed a motion for

*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.

summary judgment. The subject judge recommended that the motion be granted. A district judge granted summary judgment and dismissed the case.

“Cognizable misconduct does not include an allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.” Rule 4(b)(1). The complaint is dismissed as “directly related to the merits of a decision or procedural ruling”—the judge’s denial of the complainant’s motion to recuse. 28 U.S.C. § 352(b)(1)(A)(ii); Rule 11(c)(1)(B). The allegations of bias are dismissed as “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: August 12, 2026
