

## JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

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JCP No. 08-22-90062

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

### ORDER

This is a judicial complaint filed against the magistrate judge who recommended pre-service dismissal of the complainant's 254-page *pro se* complaint for being overlength and frivolous, and the district judge who adopted that recommendation, dismissed the complaint without prejudice, and denied the complainant's post-judgment motion seeking recusal. The *pro se* complaint accused more than 90 defendants of a seditious criminal conspiracy, including three circuit judges and the chief judge of this circuit, former Presidents and high-ranking Executive Branch officials, the Commonwealth of Australia, and the United States House of Representatives. The district court's actions were summarily affirmed on direct appeal, and the Supreme Court of the United States denied the complainant's petition for a writ of certiorari. The judicial complaint was referred to me as the next most senior circuit judge for review and appropriate action.

The lengthy judicial complaint (over 400 pages with exhibits) repeats the complainant's litigated allegations against numerous non-judicial officers. These allegations are dismissed because the judicial complaint procedure is limited to

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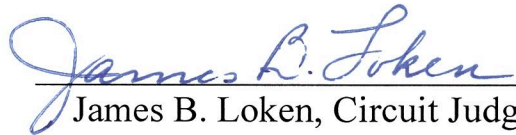
<sup>1</sup>Under Rule 4(f)(1) of the Eighth Circuit's Rules Governing Complaints of Judicial Misconduct and Disability, the names of the complainant and the judge complained against are to remain confidential, except in special circumstances not here present.

United States judges; it does not apply to other officials who work for or appear in the federal courts, nor to government entities or private persons or entities. See Rule 4 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States; Rule 1(c) of the Eighth Circuit’s Rules Governing Complaints of Judicial Misconduct and Disability. To the extent the judicial complaint accuses the district judge of misconduct for failing to recuse, this allegation is dismissed because the judicial complaint procedure “may not be used to have a judge disqualified from sitting on a particular case.” Rule 1(e) of the Eighth Circuit Rules Governing Complaints of Judicial Misconduct and Disability.

The complaint’s only other allegations relating to the complained-against judges that are not related to the merits of their decisions and rulings in the above-described lawsuit are that these “corrupt jurists . . . accepted bribes in exchange for official judicial actions to dismiss a racketeering lawsuit against subversive foreign media terrorists.” These unsupported conclusory allegations of judicial misconduct are dismissed as “frivolous, lacking sufficient evidence to raise an inference that misconduct has occurred.” 28 U.S.C. § 352(b)(1)(A)(iii); Rules 11(c)(1)(C), (D) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States; Rule 4(c)(3) of the Eighth Circuit’s Rules Governing Complaints of Judicial Misconduct and Disability.

The complaint is dismissed in its entirety.

September 26, 2022

  
James B. Loken, Circuit Judge  
United States Court of Appeals  
for the Eighth Circuit