

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-24-90053

In re Complaint of John Doe*

This a judicial misconduct complaint by a civil plaintiff against a district judge who dismissed her lawsuit.

The underlying case was the complainant's third lawsuit seeking compensation for alleged incidents occurring at her former workplace. The judge granted the complainant's motion to proceed in forma pauperis, dismissed claims against certain defendants with prejudice based on a prior lawsuit, and dismissed the case against the remaining defendants without prejudice for lack of diversity jurisdiction. The court of appeals affirmed the dismissal.

The complaint makes no allegations regarding the judge. The complainant appears to allege that she called the police department about the incidents at her former workplace, but they did not respond. The complainant attaches an application to proceed in forma pauperis from one of her earlier lawsuits involving a different district judge. She also attaches a proposed release showing that she was offered a settlement in an amount well below the jurisdictional requirement.

Insofar as the judicial complaint can be construed as challenging the judge's dismissal, the complaint must be dismissed as "directly related to the merits of a

*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.

decision or procedural ruling.” 28 U.S.C. § 352(b)(1)(A)(ii); *see* Rule 4(b)(1) (misconduct does not include “an allegation that calls into question the correctness of a judge’s ruling”). The complaint is otherwise dismissed as failing to allege any potentially cognizable misconduct by the judge. *See* Rule 4(a), Rule 11(c)(1)(A), (C).

For these reasons, the judicial complaint is dismissed.

/s/ Steven M. Colloton
Chief Judge

Filed: October 15, 2024
