

## JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

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JCP No. 08-25-90008

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In re Complaint of John Doe\*

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This is a judicial misconduct complaint by a plaintiff against a district judge who presided over his civil rights lawsuit and a magistrate judge in the same district.

The records shows that the complainant filed a lawsuit in state court alleging violations of federal law. One of the defendants removed the case to federal court. The complainant filed an amended complaint and a motion to appoint counsel. The district judge denied appointment of counsel. Several defendants moved to dismiss the complaint. The complainant responded and also moved to reconsider the order on appointment of counsel. The district judge denied the motion to reconsider and granted the motions to dismiss the complaint.

In his judicial complaint, the complainant alleges that he was sent a “notice of filing of notice of removal,” that one of the defendants refused to disclose his last name, and that the defendant’s supervisor did not return calls to allow proper service of the complaint. The complainant asserts that the district judge’s order denying appointment of counsel was legally incorrect. The complainant recounts the judge’s rulings and notes that the judge said the complaint was “nonsensical, frivolous, and state[d] no federal cause of action for which relief [could] be granted.” The

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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.

complainant also asserts that his citizen's arrest of one of the defendants for violating state law "was not responded to."

In his complaint supplement, the complainant again takes issue with the district judge's denials of his request for counsel and motion for reconsideration. The complainant also appears to challenge the requirement that he submit a new application to proceed *in forma pauperis* on appeal.

The judicial complaint challenges the district judge's adverse decisions and 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). Neither the complaint nor the record includes evidence raising an inference of judicial misconduct by the district judge or the magistrate judge. *See* Rule 11(c)(1)(D).

For these reasons, the judicial complaint is dismissed.

/s/ Steven M. Colloton  
Chief Judge

Filed: April 8, 2025

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