

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-25-90014

In re Complaint of John Doe*

This is a complaint of judicial misconduct filed by a civil plaintiff against a district judge who was assigned to his employment discrimination case.

The complaint alleges that the judge obstructed the complainant's access to fair legal proceedings through "biased rulings, procedural roadblocks, and discriminatory treatment." The complaint alleges that the judge's decision-making was "motivated by bias against pro se litigants of color," and the judge allegedly failed to "recognize and remedy racial discrimination, workplace harassment, and dignitary harms suffered by" the complainant. The complaint asserts that the judge (1) imposed unfair pleading requirements and procedural qualifications, (2) denied appointment of counsel, and (3) demonstrated "extrajudicial bias and prejudicial behavior" by "refus[ing] to engage [the complainant's] arguments in good faith, ignoring [his] medical limitations while forcing him to litigate without accommodations or counsel," and "creating an atmosphere where [the complainant's] race, poverty, and pro se status resulted in unfair treatment."

The record shows that the judge granted the complainant leave to proceed *in forma pauperis*, and the clerk filed his complaint against his former employer alleging

*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.

race discrimination and hostile work environment. The defendants filed an answer, a motion to dismiss four counts for failure to state a claim, and a motion for sanctions. The judge ordered the complainant to respond by a certain date. When the complainant failed to do so, the judge ordered the complainant to respond by a later date or risk a grant of relief to the defendants without further notice. After the complainant failed to appear at a scheduling conference, the judge ordered him to show cause why the case should not be dismissed for failure to comply with scheduling orders.

The complainant then filed a motion for an extension of time to amend his complaint and to join additional parties. The complainant alleged that he had “major traumatic rare injuries that [were] having a major impact on his physical and psychological well-being and his functioning.” He requested an extension of time to amend his complaint because he had “been hospitalized and [was] currently seeking treatment.” The complainant did not respond to the defendants’ motions to dismiss or for sanctions. The judge denied the motion to amend, stating that the complainant failed to provide a proposed amended complaint or indicate how he intended to revise the complaint as required by local rules. The court said that the motion appeared to be a possible delay tactic. The judge granted the motion to dismiss because the complainant had not responded to the motion. The judge denied the motion for sanctions.

The defendants later filed a motion to dismiss the remaining claims on the ground that the complainant had failed to comply with the court’s scheduling orders. The complainant filed a motion for appointment of counsel. The judge declined to appoint counsel, stating that there is no constitutional or statutory right to appointed counsel, the judge did not typically appoint private counsel in civil cases, and appointment of counsel was not warranted in the complainant’s case. The judge dismissed the remainder of the complaint because the complainant had failed to respond to the show-cause order and to prosecute the case.

The complaint is dismissed as “lacking sufficient evidence to raise an inference that misconduct has occurred.” 28 U.S.C. § 352(b)(1)(A)(iii); Rule 11(c)(1)(D). Nothing in the record demonstrates any improper bias against the complainant. *See* Rule 4(b)(1). Insofar as the judicial complaint challenges the judge’s orders, the allegations 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).

For these reasons, the judicial complaint is dismissed.

/s/ Steven M. Colloton
Chief Judge

Filed: September 15, 2025
