

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-25-90032

In re Complaint of John Doe*

This is a complaint of judicial misconduct filed by an inmate against a district judge who is presiding in his civil rights case.

The complainant alleges that as of three weeks after he filed his complaint in the civil action, the district court has not sent him a summons to serve the defendant. The complainant alleges that this lapse of time violates his constitutional rights to a speedy trial, due process, and equal protection. The complainant alleges that the judge’s failure to “expedit[e] this matter or this case in the future can only be seen as . . . misconduct.”

The record shows that the complainant filed his civil complaint on March 26, 2025. The court received the filing fee on April 1, 2025. About three weeks ago, on April 14, 2025, the complainant filed a request for summons and service of complaint, which was docketed as a motion for service. The motion remains pending.

“Cognizable misconduct does not include an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated

*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.

cases.” Rule 4(b)(2). Here, there is no cognizable misconduct because the judicial complaint does not allege any improper motive or habitual delay in unrelated cases. The allegations are otherwise “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: May 7, 2025
