

## JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

---

JCP No. 08-25-90047

JCP No. 08-25-90048

---

In re Complaint of John Doe\*

---

These are complaints of judicial misconduct by a prisoner against a circuit judge who was the magistrate judge in the complainant's criminal case and initial action for post-conviction relief, and against a magistrate judge who was assigned to the complainant's later post-conviction proceedings.

The complainant alleges that "the . . . judges have blocked [his] access to the court" by issuing an order that requires him to obtain the court's permission before submitting additional filings. The complaint alleges that the block is "illegal." The complaint also asserts that the "court has had a ruling waiting since 2023, . . . the magistrate has ruled, and the waiting is for the district court to rule on the answer that was timely filed."

The record shows that the complainant was convicted and sentenced in 2002. The complainant's direct appeal and initial motion for post-conviction relief were unsuccessful. The complainant continued to file additional motions in the district court. In 2011, the government filed a motion to require the complainant to obtain leave of court before any further filings. The complainant did not respond to the motion. The presiding district judge, who is now deceased, granted the motion. The

---

\*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.

district judge observed that the complainant had “filed numerous pleadings . . . that lack merit,” and “continue[d] to file motions and other pleadings that constitute successive habeas corpus petitions.” The district judge directed the complainant to obtain leave of court or permission from the court of appeals before filing any additional pleadings.

In 2023, the second magistrate judge issued a report and recommendation regarding a successive motion for post-conviction relief. The presiding district judge, who is not a subject of this complaint, adopted the report and recommendation after the complainant filed this judicial complaint.

The alleged misconduct does not involve the judges named in the complaint. The order requiring the complainant to obtain permission before filing additional documents was entered by a district judge who is now deceased, without any recommendation from the magistrate judge. The ruling on the 2023 motion was entered by a district judge who is not named in the complaint.

The judicial complaints are therefore dismissed as “frivolous” or “based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred.” Rule 11(c)(1)(C), (D).

/s/ Steven M. Colloton  
Chief Judge

Filed: October 31, 2025

---