

## JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

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JCP No. 08-25-90055

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In re Complaint of John Doe\*

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This is a complaint of judicial misconduct by a pro se plaintiff against a district judge assigned to his civil lawsuit.

The complainant filed the lawsuit in state court against a business and sought damages under the Fair Credit Reporting Act and state law. Nine days after the case was removed to federal court, the judge issued an initial “show cause order.” The order stated that the complainant had filed thirteen motions and six supplemental notices since removal of the case, that the complainant had “repeatedly engaged in disorderly behavior within the clerk’s office,” and that “the most recent encounter lasted more than an hour and a half and required multiple staff and eight members of law enforcement to deescalate the situation.”

The judge ordered the complainant to appear at a “show cause hearing” to determine whether his access to the courthouse should be permanently restricted. In the meantime, the judge temporarily restricted the complainant’s physical access to the facility unless he had a scheduled court date or was submitting filings in the court’s drop box located outside the clerk’s office. The order stated that court security officers should accompany the complainant to the drop box, and that the complainant should not enter the clerk’s office under any circumstances. The judge

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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.

later granted the complainant's motion to reschedule the hearing. The orders were sent to the complainant by e-mail and certified mail.

After a hearing, the judge entered an interlocutory order regarding restrictions on access and communication. The order stated that:

considering the extensive and credible evidence that was presented at the hearing demonstrating [the complainant's] loud, disruptive, obstructive, abusive, angry, and threatening behavior in the courthouse on several occasions as well as the conduct observed by the Court and its staff during the hearing, on a phone call, and through emails . . . , the Court finds it necessary to extend its temporary restrictions.

The Court finds that [the complainant's] misconduct has strained the resources of the clerk's office, the court, and the law enforcement tasked with protecting the courthouse and those who work within it. These individuals have spent days to weeks deescalating [the complainant's] behavior, investigating his misconduct, preparing for a hearing, and dealing with his excessive, abusive, and multi-faceted communications and filings. This has not only monopolized valuable time and resources, but it has also created potential security vulnerabilities in the courthouse and beyond because it has repeatedly required three or more law enforcement officers from various agencies to deal with [the complainant's] outbursts rather than focusing on all their other duties. Moreover, several witnesses from the [show cause] hearing testified credibly that [the complainant] was intimidating, bullying, and displaying mannerisms that suggested his behavior may escalate to physical violence.

The judge prohibited the complainant from entering the courthouse unless he had a scheduled court date and from calling or e-mailing chambers staff, court staff, or any member of the clerk's office. The order directed that "all communications with the court must be made in writing and filed via the mail or through the court's electronic document submission system."

The judicial complaint alleges that (1) the judge entered “anonymous and unsigned orders without judicial signature,” and that orders labeled as signed by the judge “were in fact entered by unnamed law clerks . . . without a formal order ever being generated or served,” (2) the complainant was never properly served with the original order to show cause, (3) the clerk and others in the judge’s chambers “deliberately interfered with the docket, failed to enter [the complainant’s] motions . . . , and misrepresented or mislabeled the substance of [his] filings,” (4) orders have been entered “via text-only docket entry with no signed or generated order attached or served,” (5) the “timing and enforcement of the backdated show cause order suggest coordination between the court and law enforcement intended to intimidate or unlawfully detain” the complainant to obstruct his ability to advance his claims, and (6) the complainant has “reason to believe that there is a conflict of interest between the law clerks or clerk’s office personnel and opposing counsel” based on “favoritism shown to [the defendant]” and the “strategic timing of orders and denials.”

In a supplement, the complainant alleges that the judge committed misconduct by (1) conducting the show cause hearing without proper notice or disclosure of witnesses, a valid procedural basis to involve counsel for the defendant, or recognition of the complainant’s pending motions objecting to the hearing itself, (2) uploading the show cause order on the docket without notice or service and altering the docket entry the next day to “falsely state that notice and mailing had occurred, including the addition of a certified tracking number,” and (3) entering “contradictory” orders—the initial show cause order and an order entered the next day regarding the complainant’s violation by making a “combative, aggressive” phone call to court staff. The complainant also asserts that (4) he “has reason to believe law clerks edited docket entries and issued unsigned orders without proper judicial authorization.”

The complaint's allegations are either refuted or unsupported by the record. The orders specified by the complainant were signed by the judge. The complainant was served with the specified orders by certified mail, and the postal receipts with tracking numbers are found in the record. The complainant does not specify what documents were not filed by the clerk's office or support his allegation of deliberate interference. The complainant remains able to file documents in his case and to communicate with the court. The characterization of the complainant's pro se motions on the docket was done by the clerk's office for filing purposes only, and text-only docket entries are appropriate. There is no indication that the show cause order was back dated, and there is no evidence that the judge intended to obstruct the complainant's lawsuit. The complainant's theories that court personnel favor opposing counsel and that law clerks acted without proper judicial authorization are unfounded and speculative.

Allegations that the judge's orders were "contradictory" challenge their correctness 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). The allegations of other issues relating to the show cause hearing or the substance of the resulting order are also dismissed as merits-related. The complaint is otherwise dismissed as "frivolous" or "based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred." Rule 11(c)(1)(C), (D).

For these reasons, the judicial complaint is dismissed.

/s/ Steven M. Colloton  
Chief Judge

Filed: May 20, 2026