

## JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

---

JCP No. 08-25-90056

---

In re Complaint of John Doe\*

---

This is a complaint of judicial misconduct by a pro se plaintiff against a district judge who presided in the complainant's civil lawsuit.

In the lawsuit, the complainant sued his child's custodian, state judges, and a state district court, alleging that they were responsible for denying him custody. The complainant sought leave to proceed *in forma pauperis*. The subject judge conducted pre-service review under 28 U.S.C. § 1915(e), dismissed the claims against the judges with prejudice based on judicial immunity, and dismissed the other claims without prejudice. After the court of appeals affirmed the dismissal, the complainant filed a motion for relief from judgment in the district court. The judge denied the motion.

The complaint alleges that the judge committed misconduct by (1) entering an order dismissing the case before serving the defendants, because the complainant was not a prisoner and was not subject to case screening provisions in section 1915(e), (2) stating in the dismissal that the case was "frivolous," without addressing a jurisdictional challenge or facts relating to certain claims, (3) falsely stating that subject-matter jurisdiction was resolved in open court when it was not, (4) failing to address or remedy due process violations and ignoring allegations of conspiracy among several judges and parties, (5) issuing a dismissal with prejudice, and (6)

---

\*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.

engaging in “a pattern of bias . . . , retaliation, and deliberate misapplication of the law,” and “potential collusion with other officials to conceal child abduction and parental rights violations.” The complainant attaches the judge’s order dismissing his case and an order of another judge dismissing a separate action by the child’s mother for wrongful termination of parental rights.

The complaint must be dismissed as “directly related to the merits of a decision or procedural ruling,” including the judge’s pre-service dismissal of the complainant’s lawsuit. 28 U.S.C. § 352(b)(1)(A)(ii); Rule 11(c)(1)(B). 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). The complaint contains no factual support for the conclusory allegations of bias, retaliation, deliberate misapplication of the law, or potential collusion with other officials to conceal. *See Carter v. Schafer*, 273 F. App’x 581, 582 (8th Cir. 2008) (per curiam) (even non-prisoner complaints filed in forma pauperis are subject to pre-service dismissal under § 1915(e)).

For these reasons, the judicial complaint is dismissed.

/s/ Steven M. Colloton  
Chief Judge

Filed: October 31, 2025

---