

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-25-90060

In re Complaint of John Doe*

This is a complaint of judicial misconduct by an inmate against a district judge who sentenced him.

The complainant alleges that his “biggest concern [he] experienced was [the judge’s] abusive, hostile and prejudiced attitude and language towards [him] after [he] spoke on [his own] behalf” at sentencing. The complainant alleges that after he told the judge that his “Meniere’s disease had reached disability level,” and mentioned that the jail refused to treat it, he “was immediately mocked” by the judge and “silenced . . . at every opportunity.” The complainant alleges that the judge overruled all of his objections to the presentence report “in an abusive, hostile, discriminatory, harassing, and prejudiced manner . . . suppressing [him] again so only the prosecution could be heard.” The complaint adds that the judge “deliberately relied only on [the jail’s] information when needlessly disclosing some of [his] private HIPAA-protected information.” The complainant asserts that the judge had verified data in the presentence report about his Attention-Deficit/Hyperactivity Disorder and Meniere’s disease, but the jail said only “hypertension and maybe depression,” and “anxiety.” The complainant asserts that “now the public knows [his] personal as well as [his] family’s protected health conditions,” and his “safety in

*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.

prison is forever compromised” due to the judge’s disclosure of his medical information.

The record shows the complainant pleaded guilty to fifteen counts of sex trafficking by force, fraud, or coercion. At the beginning of the sentencing hearing, the judge noted that the complainant had made 126 objections to the offense-conduct portion of the presentence report. The prosecutor submitted supporting exhibits. The judge asked defense counsel whether he had any objections, evidence, or argument, and defense counsel responded that he did not. The judge found that the government had “established by a preponderance of the evidence the accuracy of all of the information contained within the offense conduct portion fo the presentence report,” and stated that “Defendant’s 126 objections are overruled.” Later, the complainant spoke at length without any interruption. Among other things, he stated that he “always had high anxiety, ADHD, and Meniere’s.” He said that his specialist told him he was “disabled if [he] wanted to be.”

After the complainant finished, the judge addressed the victims and their families. She stated that she had sentenced more than 200 sex offenders, and she could say with “absolute certainty that this was not your fault.” She stated that “[d]efendants like [the complainant] are exceptionally good at finding and grooming people to abuse,” and there was no way that the victims could have seen this coming because they “don’t view life through the same lens he views life. And anybody sitting here who just listened to him talk can understand that that is a delusional lens.” The judge stated that the victims were going to need counseling. The judge then summarized the complainant’s history, the investigation, and the evidence. The judge addressed the complainant’s age and family background, and stated that she “did not know how Defendant thinks he might qualify for disability. He has high blood pressure and some Meniere’s disease, but he’s otherwise in good physical health. He has struggled with ADHD since he was a teenager. He’s been treated at the jail for depression and anxiety, but, again, no serious mental health issues there that have been diagnosed anyway.” The judge imposed a life sentence.

Misconduct includes treating a litigant “in a demonstrably egregious and hostile manner.” *See* Rule 4(a)(2)(B). The sentencing transcript does not reasonably support a finding of abusive, hostile, discriminatory, harassing, or prejudicial treatment by the judge. *See* 28 U.S.C. § 352(b)(1)(B) (chief judge may dismiss complaint when limited inquiry under § 352(a)(2), without findings on matters reasonably in dispute, shows that allegations lack factual foundation or are conclusively refuted by objective evidence). The judge was critical of the defendant’s criminal conduct, but the complainant was not “mocked” or “silenced” by the judge. Courts are not covered entities under the Health Insurance Portability and Accountability Act, *see* 45 C.F.R. § 164.103, and the judge’s reference to health conditions in the record was not misconduct.

The complaint is dismissed as “based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred.” Rule 11(c)(1)(D).

/s/ Steven M. Colloton
Chief Judge

Filed: May 29, 2026
