

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-25-90064

In re Complaint of John Doe*

This is a complaint of judicial misconduct by a pro se civil plaintiff against a district judge who dismissed his case.

The complainant alleges that the judge (1) dismissed his case on July 2, 2025, during an active disability accommodation process, without notice or service, in retaliation for a pending complaint of judicial misconduct against the presiding magistrate judge, (2) violated the Americans with Disabilities Act (ADA) and due process because of unresolved accommodation requests, (3) failed to recuse and had a conflict of interest because the order of dismissal was issued while the assigned magistrate judge was “already under formal judicial misconduct investigation,” (4) erroneously dismissed the case by mischaracterizing precedent and misapplying judicial immunity, (5) retaliated against him, (6) obstructed his ADA rights, suppressed a federal civil rights case, and shielded ongoing misconduct, and (7) wrongly issued a post-dismissal order on July 9, 2025, striking or denying all remaining filings.

The complaint requests a “formal investigation into [the judge’s] July 2 and July 9, 2025 orders.” The complainant asserts that the dismissal of his case “appears designed to” insulate the magistrate judge from further scrutiny, dismiss a case that

*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.

documented suppression of disability accommodations and jurisdictional fraud, and protect fellow judicial officers from accountability. The complainant asserts that “this creates a non-waivable conflict of interest,” and “[n]o reasonable litigant would believe they could receive a fair ruling from a judge protecting a colleague under formal complaint.”

The complaint also alleges that (8) there is a “pattern of gatekeeping and institutional protectionism,” because the clerk’s office for the court of appeals rejected a supplement seeking to add the subject judge to the earlier judicial complaint against the magistrate judge, and (9) the judicial-complaint process is deficient, because complaints cannot be filed electronically and there is no public record of rejected complaints.

In the underlying case, the complainant filed a pro se lawsuit against his former spouse, state judges presiding over their divorce and custody proceedings, attorneys, his former spouse’s current partner, and others involved in the proceedings. The complainant claimed that the defendants violated his constitutional rights and discriminated against him because of his traumatic brain injury. He sought to undo several state-court decisions, to block enforcement of child support, and to be awarded damages. The complainant sought leave to proceed in forma pauperis and filed a “request for reasonable accommodations under the [ADA]” alleging cognitive disabilities. He was granted e-filing privileges. In the three weeks after the filing of his complaint, the complainant filed at least four supplemental or amended complaints.

At the direction of the magistrate judge, the complainant filed an amended complaint complying with court rules. The magistrate judge entered an “order/notice that (1) the amended complaint . . . is now the operative pleading in this matter and (2) [the complainant’s] privileges to file documents electronically will be revoked while this matter is under preservice review.” The magistrate judge explained that

the complainant's repeated attempts to amend or supplement his complaint did not comply with court rules and had rendered pre-service review impossible. Two days later, the complainant filed a motion to disqualify the magistrate judge and several "emergency" motions including "notice" of judicial retaliation, "ADA suppression," and "procedural obstruction." The complainant also filed a judicial complaint against the magistrate judge challenging the revocation of e-filing privileges while his disability accommodation request remained pending.

On July 2, 2025, the subject judge dismissed the lawsuit without prejudice and denied pending motions as moot. The judge concluded the complainant did not allege facts to overcome the judicial and quasi-judicial immunity afforded to the state judges and court administrators. The judge dismissed claims against the complainant's former wife, other individuals, and state court officials because the complaint did not allege a plausible conspiracy, and because the applicable sections of the ADA and the Rehabilitation Act apply only to public entities and not to individuals. The judge concluded the allegations against other persons were too vague to state a claim.

The complainant filed a notice of appeal and applied for leave to proceed in forma pauperis on appeal. A few days later, the complainant filed a motion for relief from the judgment in the district court, a motion to alter or amend the judgment, and a supporting brief and three supplements. On July 9, the judge granted leave to proceed in forma pauperis on appeal and denied the other motions.

The complainant then filed two supplements to his judicial complaint against the magistrate judge adding allegations against the district judge. The order dismissing the complaint against the magistrate judge noted that the complainant had not named the district judge in that judicial complaint and explained that the allegations would be addressed separately in the complainant's judicial complaint against the district judge. *See In re Complaint of John Doe*, No. 25-90050 (8th Cir. C.J. Oct. 31, 2025).

Neither the complaint nor the record contain any facts supporting the allegation that the subject judge dismissed the complainant's lawsuit in retaliation for the pending judicial complaint against the magistrate judge. There is nothing in the record or complaint supporting an inference of disability discrimination, bias, or retaliation. *See* Rule 4(a)(3), (4). The subject judge ruled on the complainant's requests for accommodation based on disability in the order dismissing the lawsuit. The pending judicial complaint against the magistrate judge did not create a conflict of interest that would prevent the district judge from presiding in the complainant's case.

The complaint's allegations about the judge's decisions on July 2 and 9 are 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 complaint is otherwise dismissed as "based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred." Rule 11(c)(1)(D).

The complainant's allegations about the subject judge have been properly addressed in the current complaint against him, rather than in the prior complaint against the magistrate judge. The complainant submitted his complaint by mail in accordance with local rule, and the complainant's views on whether judicial complaints should be accepted electronically are not relevant to the complaint against the subject judge.

For these reasons, the judicial complaint is dismissed.

/s/ Steven M. Colloton
Chief Judge

Filed: December 29, 2025

