

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-25-90088

JCP No. 08-25-90089

In re Complaint of John Doe*

This is a complaint of judicial misconduct by a pro se plaintiff against a magistrate judge and a district judge who are presiding in his civil rights lawsuit.

The complainant alleges that (1) every motion he has filed “has been summarily denied or disregarded without meaningful analysis,” (2) the court “has failed to acknowledge or address key constitutional claims,” (3) “there is reason to believe that improper ex parte communication or bias may be influencing the adjudication of these matters, as the rulings consistently favor defendants without explanation or citation to controlling precedent,” (4) “the pattern of dismissiveness appears to be based solely on [his] status as a pro se litigant,” (5) the court has failed to protect his constitutional rights as a disabled veteran by refusing to appoint counsel, (6) “the court has failed to recognize the stigma-plus doctrine and denied all claims for monetary damages,” (7) he “never signed the document stating that the magistrate judge could give a verdict on [the] case,” and (8) he “is being threatened with sanctions if [he] refiles a claim after dismissal without prejudice.” The complaint does not provide any additional details.

*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.

The complainant's first, second, fifth, and sixth allegations challenge the correctness of the judges' rulings and do not support any finding of misconduct. *See* Rule 4(b)(1) ("Cognizable misconduct does not include an allegation that calls into question the correctness of a judge's ruling."). Those are allegations 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 remaining allegations are dismissed as unsupported by "sufficient evidence to raise an inference that misconduct has occurred." Rule 11(c)(1)(D). The third and fourth allegations are speculative. As for the seventh allegation, the complainant did not agree to have a magistrate judge try the case under 28 U.S.C. § 636(c)(1), but the magistrate judge could determine pretrial matters, conduct hearings, and make recommendations subject to objection by the complainant and review by district judge. 28 U.S.C. § 636(b)(1). The district judge signed the orders dismissing the complainant's claims. The magistrate judge committed no misconduct by warning the complainant that he could be sanctioned if he continued to violate the court's order that directed him to file no additional motions to amend his complaint unless directed to do so by the court.

For these reasons, the judicial complaint is dismissed.

/s/ Steven M. Colloton
Chief Judge

Filed: June 1, 2026
