

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-25-90098

In re Complaint of John Doe*

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

The complainant alleges that the judge did not respond to the case in a timely manner and that he “believes the judge . . . intentionally left this case sitting dormant to expire the RICO statutes.” The complaint states that the judge dismissed the case five months after its filing on the same day that the complainant consulted with an attorney whom he did not retain. The complaint alleges that the judge and attorney “conspired in this case as to flip it and award it to the defendants.” In a supplement, the complainant makes allegations about the attorney, the United States Attorney, and the clerk of court.

In 2016, a doctor performed a surgery on the complainant. In May 2025, the complainant filed the underlying lawsuit alleging that the surgery “started a conspiracy of . . . hundreds . . . to cover up domestic terrorism in the medical field of this country.” The complainant alleged that doctors purposefully falsified medical records, completed procedures without his consent, and authorized unnecessary surgeries to retaliate against him. The complaint alleged violations of federal laws

*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.

and state-law medical malpractice claims, and sought monetary damages and placement in a victim-witness protection program.

In October 2025, the judge granted the complainant leave to proceed in forma pauperis and dismissed the complaint for failure to state a claim upon which relief could be granted. The judge dismissed the claims under the Racketeering Influenced and Corrupt Organizations Act without prejudice, dismissed the other federal claims with prejudice, and declined to exercise supplemental jurisdiction over state law claims. The court denied the complainant's motion to appoint counsel as moot.

The complainant's belief that the judge conspired with an attorney to dismiss the complainant's case is unsupported by facts. Because there is no evidence of improper motive, the allegation about delay in the complainant's case is dismissed as merits-related. *See* Rule 4(b)(2) (stating misconduct does not include allegation about delay in rendering particular decision unless the allegation concerns improper motive); Rule 4 commentary (stating complaint of delay in single case is excluded as merits-related); Rule 11(c)(1)(B) (providing for dismissal of complaint "directly related to the merits of a decision or procedural ruling"). Likewise, any challenge to the dismissal itself is merits-related and not cognizable misconduct. *See* Rule 4(b)(1). 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: June 1, 2026

