

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-25-90102

In re Complaint of John Doe*

This is a complaint of judicial misconduct by a criminal defendant against a district judge who was assigned to his case.

The complainant alleges that he submitted a motion seeking dismissal of his case on the ground that the indictment was obtained after expiration of the statute of limitations, and that his motion was “supported by exculpatory evidence.” The complainant asserts that the Supreme Court of the United States “agreed with [him],” but the district court denied his motion and had him arrested and held without bond. The complaint concludes that the district court “violated federal rules and procedures, judicial protocols, and limited timely access to exculpatory evidence of innocence.” In a supplement, the complainant requests a stay regarding actions taken by the district court and contends that the court’s previous actions were erroneous.

A jury convicted the complainant of theft concerning programs receiving federal funds. Before trial, the complainant moved to dismiss the indictment based on the statute of limitations. The judge denied the motion. Following his conviction, the complainant raised the limitations issue on appeal. The court of appeals affirmed the judgment of conviction. The Supreme Court denied a petition for writ of certiorari.

*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 judicial complaint challenges the denial of the complainant's motion to dismiss the charges against him. But "[c]ognizable misconduct does not include an allegation that calls into question the correctness of a judge's ruling." Rule 4(b)(1). The assertion that the judge's ruling conflicted with a decision of the Supreme Court concerns the correctness of the judge's ruling. The assertion is also unsupported. The complainant sought relief from the Supreme Court several times, but the Court never granted relief. The complaint must be 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 "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 2, 2026
