

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-24-90005

In re Complaint of John Doe¹

This is a judicial complaint filed by a criminal defendant (“complainant”) against the United States district judge who presided over the complainant’s criminal case.

The judicial complaint alleges that the district judge “allowed the illegal access to a Federal Judicial Forum, to the United States prosecutors offices, issuing a VOID judgment outside of [the judge’s] Constitutional Oath of Office; Supremacy of Constitutional Guarantees; and the Right to Due Process, under the law.” According to the judicial complaint, the district judge “is in violation of [the] ‘good behavior’ guarantee.” The judicial complaint alleges that because of the district judge’s “error[] in the accessing of Federal Judicial Power under the 3rd Branch of Government,” the “[c]omplainant is (and has been) incarcerated in the B.O.P. for 48 months (almost).”

To the extent the judicial complaint challenges any of the district judge’s orders issued in the criminal case, it must be dismissed as “directly related to the merits of a decision or procedural ruling.” 28 U.S.C. § 352(b)(1)(A)(ii); *accord* Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rules 4(b)(1), 11(c)(1)(B). To the extent the judicial complaint alleges that the district judge engaged in any other judicial misconduct, such

¹Under Rule 4(f)(1) of the Rules Governing Complaints of Judicial Misconduct and Disability of the Eighth Circuit, the names of the complainant and the judicial officer complained against are to remain confidential, except in special circumstances not here present.

allegations are “frivolous, lacking sufficient evidence to raise an inference that misconduct has occurred.” 28 U.S.C. § 352(b)(1)(A)(iii); *accord* J.C.U.S. Rule 11(c)(1)(C), (D).

Accordingly, the judicial complaint is dismissed.

2/12/24, 2024



Lavenski R. Smith, Chief Judge
United States Court of Appeals
for the Eighth Circuit