

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

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JCP No. 08-15-90013

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In re Complaint of John Doe<sup>1</sup>

This is a judicial complaint filed on June 18, 2015, by a pro se civil litigant against the chief district judge of the United States district court in which complainant's case proceeded. Complainant notes his case was originally assigned to a judge who recused, so the chief judge "re-assign[ed]" complainant's case "the very same day or the next day" to a different judge. Apparently believing this course of events was suspect, complainant asserts "if judicial improper [sic] is the reason for this 'shuffling' of federal judges, then the [chief judge] is culpable," and cryptically declares, "[t]he chief [judge] 'knows.'"

Complainant offers no explanation or evidence in support of his belief that the chief judge acted inappropriately. Indeed, complainant does not actually allege misconduct occurred, but rather charges, "*If* [the chief judge] instructed [the first assigned judge] to recuse himself, I allege judicial misconduct." (Emphasis added). Complainant "implore[s] . . . the 8th Circuit Court of Appeals . . . to . . . ask [the first assigned judge] . . . 'Were you prompted in any way by [the chief judge] to "recuse" yourself?'"

The complaint must be dismissed because it is "frivolous [and] lacking sufficient evidence to raise an inference that misconduct has occurred." 28 U.S.C.

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<sup>1</sup>Under Rule 4(f)(1) of the Rules Governing Complaints of Judicial Misconduct and Disability of the Eighth Circuit (E.C.), the names of the complainant and the judge complained about are to remain confidential, except in special circumstances not present here.

§ 352(b)(1)(A)(iii); see also Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States Rule 11(c)(1)(C), (D); E.C. Rule 4(c)(3). The purposes of the judicial complaint process do not include unsupported inquiries into the routine administration of the district courts.

The complaint is dismissed.

July 13, 2015



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William Jay Riley, Chief Judge  
Eighth Circuit