

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

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JCP No. 08-16-90002

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

This is a judicial complaint filed by a federal prisoner on January 7, 2016. The complaint arises out of the complainant's request for a copy of the docket sheet in a civil case he previously filed. The clerk of the district court, through a deputy, informed the complainant his request would be processed once he paid the applicable \$2.00 fee. The complainant attributes the clerk's refusal to immediately provide the requested document to "an apparent hidden agenda, or some other [Department of Justice] influence over the Clerk's mind or process (conscience)." The complainant adds "Court Clerk's [sic] have continually (pattern) obstructed VETS process and meaningful access to the Court's [sic] over the past 27+years serving no apparent legitimate function." And the complainant asserts the former chief district court judge, "or whomever currently [sic] serving as Chief Judge for purposes of this Redress, appears to be responsible for such indifferences [sic] to the administration of justice-economy by all Clerk(s)."

The complainant also declares his conviction and imprisonment are unconstitutional and alleges conspiracies and other misconduct by prosecutors, other attorneys, a witness, the U.S. Department of Justice, and "local cronies in the federal court(s)" which he claims to have raised in other lawsuits. Complainant attached to

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

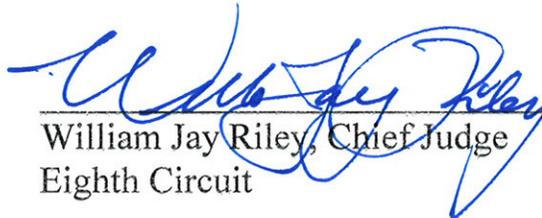
his complaint news articles and other documents describing misconduct and abuses in the criminal-justice system.

The complainant's allegations of misconduct by the district court clerk and other people who work in or with the federal courts cannot be raised or addressed here, because the judicial-complaint process is limited to United States judges. See 28 U.S.C. § 351(a), (d)(1); Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rule 4; E.C. Rule 1(c). For the same reason, the complainant's claims that prosecutors and attorneys, among others, have conspired with the Department of Justice to violate the complainant's rights are misplaced in this judicial-conduct proceeding.

The limited allegations that do concern United States judges—that the former or current chief district court judge is “responsible for” the clerk allegedly acting improperly by requiring the complainant to pay a fee before processing his document request—are “frivolous” or “lacking sufficient evidence to raise an inference that misconduct has occurred,” so they must be dismissed as well. 28 U.S.C. § 352(b)(1)(A)(iii); accord J.C.U.S. Rule 11(c)(1)(C), (D); see also J.C.U.S. Rule 11(c)(1)(A) (calling for dismissal of a complaint that “alleges conduct that, even if true, is not prejudicial to the effective and expeditious administration of the business of the courts”).

The complaint is dismissed.

February 24, 2016

  
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William Jay Riley, Chief Judge  
Eighth Circuit