

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-16-90048

In re Complaint of John Doe¹

This is a judicial complaint filed on June 9, 2016, by an individual against the United States district judge who presided over the complainant's prisoner civil rights and Social Security cases, "Service-Connected," many years ago.

The complainant alleges the district judge failed in applying the preponderance of the evidence standard and "cheated" the complainant out of Social Security benefits. The complainant reports his counsel in that case was "ineffective." The complainant adds, "[t]here were also questions regarding the VE, qualifications and the testimony thereof. There was a FRAUD UPON THE COURT."

The complainant also raises a number of seemingly unrelated issues. He notes that the district judge once sentenced a "pedophile priest[] . . . to only 1 year." In the complainant's view, the district judge "admitted that he is willing to act with unfairness" when he sentenced a man "to a LIFE sentence for Conspiracy to Distribute" drugs. Finally, the complainant alleges there is a "COVER-UP" relating to "children . . . being trafficked for Sex with Pedophile JUDGES."

The complainant's grievances relating to his Social Security cases and to other individuals' criminal cases are not cognizable in a judicial complaint and must be

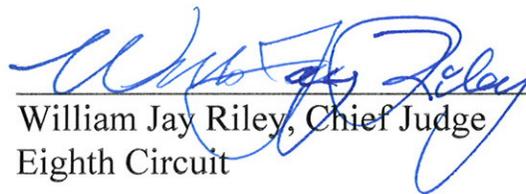
¹Under Rule 4(f)(1) of the Eighth Circuit Rules Governing Complaints of Judicial Misconduct and Disability (E.C.), the names of the complainant and the judge complained about are to remain confidential, except in special circumstances not present here.

dismissed because they are “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 3(h)(3)(A), 11(c)(1)(B). The complainant’s wholly unsupported allegation about sex trafficking must be dismissed because it “lack[s] sufficient evidence to raise an inference that misconduct has occurred” and is “frivolous.” 28 U.S.C. § 352(b)(1)(A)(iii); J.C.U.S. Rule 11(c)(1)(C), (D).

Finally, to the extent the complainant complains about his attorney or other individuals who are not United States judges, these complaints are outside the scope of the judicial complaint procedure because the judicial complaint procedure applies only to United States judges. See 28 U.S.C. § 351(a), (d)(1); J.C.U.S. Rule 4; E.C. Rule 1(c).

The complaint is dismissed.

June 21, 2016



William Jay Riley, Chief Judge
Eighth Circuit