

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-16-90055

In re Complaint of John Doe¹

This is a judicial complaint filed on July 25, 2016, by a pro se civil litigant against the United States district judge who denied the complainant's petition for a writ of habeas corpus. The complainant was involuntarily committed to a state hospital after he pled not guilty by reason of insanity to a criminal charge in state court.

It is difficult to ascertain the factual basis for the complainant's complaint. The complaint consists primarily of incomprehensible statements about various areas of law including city regulation of bridge tolls, authorization of search warrants, and the formatting rules for pleadings and motions. The complainant also states "the cause-and-PREjudice Rule allowed fedeRal couRts to gRant Relief on the basis of a constitutional challenge that was PResented to the tRial if the pRisoneR Showed good cause foR to make [sic] the Challenge at tRial." The complainant further proclaims "Due PRocess guaRantees that Claimant Receives whateveR Process is constitutionally mandated oR peRmitted undeR laws in effect at time of claim."

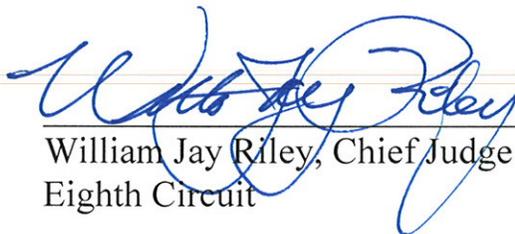
To the extent the complainant grieves the district judge's denial of the complainant's petition for a writ of habeas corpus, such complaint must be dismissed because it is "directly related to the merits of a decision or procedural ruling."

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

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 incoherent statements about other areas of law “lack[] sufficient evidence to raise an inference that misconduct has occurred.” 28 U.S.C. § 352(b)(1)(A)(iii); see also J.C.U.S. Rule 11(c)(1)(D).

The complaint is dismissed.

August 8, 2016



William Jay Riley, Chief Judge
Eighth Circuit