

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-18-90014

JCP No. 08-18-90015

JCP No. 08-18-90016

In re Complaint of John Doe¹

ORDER

This is a judicial complaint filed against three members of the Court of Appeals. The complaint form sent to complainant by the clerk of the Court of Appeals clearly informed complainant that Rule 2(b) and 2(d) of the Eighth Circuit Judicial Council's Rules Governing Complaints of Judicial Misconduct and Disability required him to describe the conduct or the evidence of disability that constituted the subject of his complaint.

Notwithstanding this clearly stated requirement, the complaint states only that complainant's appeals to this court have been denied and that his petition for a writ of certiorari has been denied by the United States Supreme Court. Attached to the complaint are copies of two pages regarding the results of DNA testing done by a laboratory, with no indication that those results had any relationship to anything the complained-against judges may have done with respect to complainant's prior cases.

In a word, then, the complaint contains no description of the conduct or the evidence of disability required by Rule 2(b) and 2(d). Lacking that information, the

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.

complaint must be dismissed, because it “lack[s] sufficient evidence to raise an inference that misconduct has occurred.” 28 U.S.C. § 352(b)(1)(A)(iii); accord Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rule 11(c)(1)(D).

The complaint is dismissed.

May 7, 2018

A handwritten signature in cursive script, reading "Roger L. Wollman", is written above a horizontal line.

Roger L. Wollman, Circuit Judge
United States Court of Appeals
for the Eighth Circuit