

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

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JCP No. 08-20-90030  
JCP No. 08-20-90031  
JCP No. 08-20-90032  
JCP No. 08-20-90033  
JCP No. 08-20-90034  
JCP No. 08-20-90035

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

ORDER

These are judicial complaints against the chief judge of this Circuit, three circuit judges, and two district judges. As I understand the confusing complaints, they initially assert the complainant was convicted and sentenced by a district judge who “deliberately overlooked” his defense. They then allege the complained-against judges, in repeatedly denying the complainant’s petitions for a writ of habeas corpus under 28 U.S.C. § 2241 and motions for post-conviction relief under 28 U.S.C. § 2255, “deliberately hid[] the true nature of his claims” -- that the criminal case “be dismiss[ed] for defective indictment and failure to give notice of charges” -- in violation of the complainant’s constitutional right to due process. The complaints then allege the district and circuit judges “overlook[ed] shocking medical records” in denying the complainant compassionate release based on his poor health and the Covid-19 pandemic. These allegations are directly related to the merits of the complained-against judges’ decisions or procedural rulings. They are therefore not proper subjects of a judicial complaint and will be dismissed for that reason. See 28 U.S.C. § 352(b)(1)(A)(ii); J.C.U.S. Rule 11(c)(1)(B).

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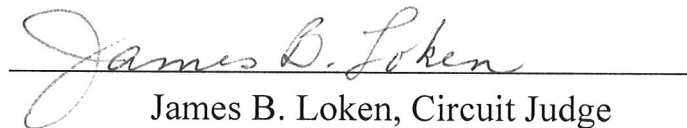
<sup>1</sup>Under Rule 4(f)(1) of the Eighth Circuit’s Rules Governing Complaints of Judicial Misconduct and Disability, the names of the complainant and the judge complained against are to remain confidential, except in special circumstances not here present.

The complaints further include unsupported allegations that, in denying the complainant's petitions and motions, the judges "showed actual prejudice" and committed treason, kidnaping, and human trafficking in violation of the Thirteenth, Fourteenth, and Eighth Amendments, and they deliberately overlooked and hid medical records submitted in support of his request for compassionate release. These allegations are facially incredible and so lacking in indicia of reliability that no further inquiry is warranted. They will be dismissed as frivolous. See 28 U.S.C. § 352(b)(1)(A)(iii); J.C.U.S. Rule 11(c)(1)(C), (D).

Finally, the complaints appear to include allegations of false arrest, unconstitutional prosecution, and harassment by unnamed state and federal officials. These allegations must be dismissed because the judicial complaint procedure is limited to United States judges. See J.C.U.S. Rule 4.

The complaints are dismissed in their entirety.

September 10, 2020

A handwritten signature in cursive script that reads "James B. Loken". The signature is written in black ink and is positioned above a horizontal line.

James B. Loken, Circuit Judge  
United States Court of Appeals for the Eighth Circuit