

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-20-90063

In re Complaint of John Doe¹

This is a judicial complaint filed by a pro se civil litigant (“complainant”) against the United States district judge who dismissed the complainant’s civil-rights lawsuit.

The complainant alleges that the district judge abused the legal process and denied the complainant’s constitutional rights when the judge (1) denied the complainant’s request for a stay or, in the alternative, a continuance to allow the United States Supreme Court to review the complainant’s petition for a writ of certiorari; (2) ignored “key evidence” in dismissing the case; (3) directed the complainant to periodically file a status report regarding the status of the complainant’s interlocutory appeal when the judge granted the complainant’s stay motion; and (4) failed to review a video that the complainant submitted and subsequently denied the complainant’s motion for reconsideration based on this alleged failure. The complainant cites portions of the district judge’s order in support of the allegations.


Although the complainant maintains that the judicial complaint’s purpose “is not to disagree with the Court/Judge[’s] ruling in the case” but instead to show the denial of complainant’s “basic Constitutional Rights,” the judicial complaint directly

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.

challenges the correctness of the district judge’s rulings. *See* Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rule 4(b)(1). Therefore, the allegations must be 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* J.C.U.S. Rule 11(c)(1)(B).

The judicial complaint is dismissed.

August 9, 2021



Lavenski R. Smith, Chief Judge
United States Court of Appeals
for the Eighth Circuit