

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-21-90057

JCP No. 08-21-90061

In re Complaint of John Doe¹

These are judicial complaints filed by a civil litigant (“complainant”) against two United States district judges who presided over the complainant’s civil cases.

The complainant alleges that both district judges intentionally denied court process and justice to the complainant based on the complainant’s “race and faith.”

I have reviewed the record. *See* Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rule 11(b). In both civil cases, the complainant requested authorization to file a new civil action. The complainant is restricted from filing new cases in the judicial district unless the complainant is represented by counsel or receives prior written authorization from a judicial officer in the judicial district. The district judges entered orders in their respective cases denying the complainant’s request for authorization and closing the proceedings.

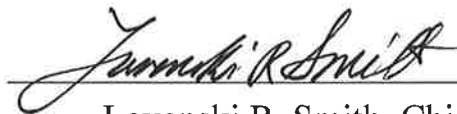
To the extent that the judicial complaints’ allegations challenge the district judges’ orders, they must be dismissed as “directly related to the merits of a decision or procedural ruling.” 28 U.S.C. § 352(b)(1)(A)(ii); *accord* J.C.U.S. Rules 4(b)(1),

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.

11(c)(1)(B). To the extent the judicial complaints allege that the district judges discriminated against the complainant based on race and faith, the allegations are “lacking sufficient evidence to raise an inference that misconduct has occurred.” 28 U.S.C. § 352(b)(1)(A)(iii); *accord* J.C.U.S. Rule 11(c)(1)(C), (D).

Accordingly, the judicial complaints are dismissed.

May 10, _____, 2022



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