

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-22-90012

In re Complaint of John Doe¹

This is a judicial complaint filed by a civil litigant (“complainant”) against the United States district judge who transferred the complainant’s case to another federal judicial district.

The judicial complaint alleges that the district judge denied the complainant access to the judicial district in which the district judge sits “without regard for lack of access caused by [the complainant’s] disability.” According to the complainant, “Rule changes, different practices, denial of physical access and frustration from lack of achievement have placed undue burden upon the complainant.” The complainant maintains that the district judge “aid[ed]” the defendant in “depriv[ing] complainant of ANY access to the court, discovery[,], or mediation.” The complainant asserts that the district judge “subject[ed] the complainant to discrimination by denying the complainant[’]s ‘choice of service’ location.”

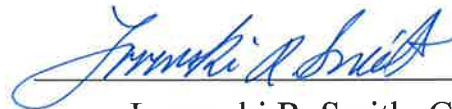
I have reviewed the record. *See* Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rule 11(b). To the extent that the judicial complaint’s allegations challenge the district judge’s order transferring the case to another federal judicial district, they must be dismissed as “directly related to the merits of a decision or procedural ruling.” 28 U.S.C.

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.

§ 352(b)(1)(A)(ii); *accord* J.C.U.S. Rules 4(b)(1), 11(c)(1)(B). To the extent the judicial complaint alleges that the district judge discriminated against the complainant, 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)(D).

Accordingly, the judicial complaint is dismissed.

May 25, 2022



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