

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

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JCP No. 08-18-90019

JCP No. 08-18-90023

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

ORDER

These are two judicial complaints filed against the chief judge of this Circuit and a district judge. As I understand the complaints, they allege (i) that the district judge denied complainant his right to appeal and “committed perjury” after complainant “clearly INVOKED” his Sixth Amendment right to represent himself; and (ii) that the chief judge, “in conspiracy with” the district judge and six other district and circuit judges, “committed perjury and falsified government documents” in dismissing a prior judicial misconduct complaint.

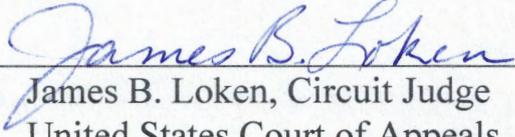
These unsupported allegations are so facially incredible and so lacking in indicia of reliability that no further inquiry is warranted, and they will be dismissed as frivolous. See 28 U.S.C. § 352(b)(1)(A)(iii); J.C.U.S. Rule 11(c)(1)(C). To the extent the complaint alleges the chief judge erred in dismissing a prior judicial complaint, the proper remedy is a petition for review under J.C.U.S. Rule 18. To the extent the complaint’s allegations are directly related to the merits of the complained-against judges’ decisions or procedural rulings, they will be dismissed for that reason. See 28 U.S.C. § 352(b)(1)(A)(ii); J.C.U.S. Rule 3(h)(3)(A).

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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 are dismissed in their entirety.

May 24, 2017

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