

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP NO. 08-18-90049

In re Complaint of John Doe¹

ORDER

This complaint is filed against a circuit judge who was delegated to review Doe's judicial complaint that the chief judge, "in conspiracy with" with seven other district and circuit judges, "committed perjury and falsified government document" in dismissing a prior judicial complaint. This new complaint alleges, without factual support of any kind, that this circuit judge, in dismissing the judicial complaint, "acted in conspiracy" with the chief judge, the subjects of prior judicial complaints, and six other district, circuit and magistrate judges "to cover criminal rulings and proceedings." The complaint also alleges the circuit judge perjured himself in dismissing the complaint.

These unsupported allegations are so facially incredible and so lacking in any indicia of reliability that no further inquiry is warranted, and they are 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 complained-against circuit judge erred in dismissing the complaint, I note the complainant has filed a Petition for Review of the decision pursuant to J.C.U.S. Rule 18, and that, rather than the filing of a new complaint, is the proper procedure for seeking review of the complained-against judge's decision on the judicial complaint.

¹ Under Rule 4(f)(1) of the Eighth Circuit's Rules Governing Complaint 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.

To the extent the complainant's allegations are directly related to the merits of the complained-against judge's decisions or procedural rulings, they are dismissed for that reason. See 28 U.S.C. § 352(b)(1)(A)(ii); J.C.U.S. Rule 3(h)(3)(A).

The complaint is dismissed in its entirety.

August 8, 2018

A handwritten signature in blue ink, appearing to read "Raymond W. Gruender", is written over a horizontal line.

Raymond W. Gruender, Circuit Judge

United States Court of Appeals

for the Eighth Circuit