

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

JCP No. 08-20-90018

In re Complaint of John Doe¹

This is a judicial complaint filed by the complainant against the United States district judge who dismissed with prejudice the complainant's civil rights action. Because of the complainant's "voluminous filings" in the case, the district court also permanently enjoined the complainant "from the filing of any motion, document, or other material in this case without first obtaining leave of Court."

The judicial complaint alleges that the district judge "acted in a manner inconsistent with due process of law . . . [by] barring [the complainant] from filing anything without permission of the court" and "deprived [the complainant] of such a vital constitutional right as Due Process, and without an opportunity to oppose the entry of an order restricting him before it is entered."

The judicial complaint must be dismissed because its allegations are "directly related to the merits of a decision or procedural ruling"; specifically, the allegations directly relate to the district judge's order permanently enjoining the complainant from filing any documents in the case without leave of court. *See* 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (J.C.U.S.) Rules 4(b)(1), 11(c)(1)(B).

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.

The complaint is dismissed.

May 27, 2020, 2020



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