

**JUDICIAL COUNCIL OF THE SIXTH CIRCUIT**  
**MICHIGAN-OHIO-KENTUCKY-TENNESSEE**

In re:  
Complaint of Judicial Misconduct

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\*No. 06-14-90044  
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**M E M O R A N D U M**

This complaint of judicial misconduct was filed by a pro se litigant against the circuit judge who, as chief judge of the circuit, dismissed his judicial-misconduct complaints against the judges who presided over his employment-discrimination and legal-malpractice actions and the resulting appeals. The thrust of the complaint is that the circuit judge “did not take [the complainant’s] case seriously enough.”

After conducting an initial review, the chief judge may dismiss a complaint as to which he concludes: (A) that the claimed conduct, even if it occurred, “is not prejudicial to the effective and expeditious administration of the business of the courts and does not indicate a mental or physical disability resulting in inability to discharge the duties of judicial office”; (B) that the complaint “is directly related to the merits of a decision or procedural ruling”; (C) that the complaint is “frivolous,” a term that applies to charges that are wholly unsupported; or (D) that the complaint “lack[s] sufficient evidence to raise an inference that misconduct has occurred.” Rule 11(c)(1)(A)-(D), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

This complaint is subject to dismissal under Rule 11(c)(1)(B) because it is directly related to the merits of the circuit judge’s disposition of the complainant’s prior judicial-misconduct complaints. See *also* 28 U.S.C. § 352(b)(1)(A)(ii). A complainant who is dissatisfied with the chief judge’s disposition of a complaint under Rule 11(c) may petition for review by the judicial council, see 28 U.S.C. § 352(c) and Rule 18, Rules for Judicial-Conduct and Judicial-Disability Proceedings, and the complainant here has done so. Review is not available by means of a new complaint against the chief judge.

For these reasons, this complaint will be dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) and Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

*/s/ R. Guy Cole, Jr.*  
Chief Judge

Date: October 15, 2014