

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

In re:  
Complaint of Judicial Misconduct

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\*No. 06-17-90140  
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**MEMORANDUM AND ORDER**

This complaint of judicial misconduct was filed by **[REDACTED]** (“complainant”) against the Honorable **[REDACTED]** (“subject judge”), pursuant to 28 U.S.C. § 351. The complainant alleges that the subject judge improperly denied her motion to reopen a civil action that the parties had settled. The complainant further alleges that the subject judge is committing “domestic terrorism” and has conspired with the defendants and attorneys in her civil action to conceal the presence of Osama Bin Laden, Kim Jong Un, and Vladimir Putin in Michigan.

After conducting an initial review, the chief judge may dismiss a misconduct 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”; (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; see 28 U.S.C. § 352(a), (b).

An initial review of the record reveals that the complainant filed a civil rights action that was assigned to the subject judge. The subject judge denied the defendants’ motion to dismiss, granted in part and denied in part the defendants’ motion for summary judgment, and granted the complainant’s motion for summary judgment on the defendants’ counterclaim. As the case was nearing trial, the parties reached a settlement, and the district court dismissed the action without prejudice. Nearly five years later, the complainant moved to reopen the action. The subject judge denied the motion, finding no grounds for relief under Federal Rule of Civil Procedure 60(b)(6).

To the extent that this misconduct complaint challenges the propriety of the order denying the complainant’s motion to reopen, it is subject to dismissal under Rule

11(c)(1)(B). See also 28 U.S.C. § 352(b)(1)(A)(ii). Any challenge to the merits of a judge's rulings is outside the scope of judicial-misconduct proceedings. See Rule 3(h)(3)(A), Rules for Judicial-Conduct and Judicial-Disability Proceedings. The Judicial Council is not a court and has no jurisdiction to review any decision by a judge. See *In re Complaint of Judicial Misconduct*, 858 F.2d 331, 331-32 (6th Cir. 1988).

To the extent that it alleges domestic terrorism and conspiracy on the part of the subject judge, the complaint is entirely unsupported by the record and thus is subject to dismissal under Rule 11(c)(1)(C). See also 28 U.S.C. § 352(b)(1)(A)(iii).

Accordingly, it is **ORDERED** that the complaint be dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) & (iii) and Rule 11(c)(1)(B) & (C) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

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

Date: June 8, 2018