

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

In re:  
Complaint of Judicial Misconduct

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\*Nos. 06-19-90073/74  
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**MEMORANDUM AND ORDER**

This complaint of judicial misconduct was filed by **[REDACTED]** (“complainant”) against the Honorable **[REDACTED]** (“subject judges”), pursuant to 28 U.S.C. § 351. The complainant brought two actions that were dismissed by the subject district judge for failure to state a claim, based upon the subject magistrate judge’s recommendations. In one of these actions, complainant sued the United States on behalf of Puerto Rico, seeking to force the government to grant statehood to the island. In the other, complainant sued the Federal Bureau of Investigation, seeking more than a half million in reward money for information he had allegedly provided to them regarding the so-called “Golden State Killer.”

The complainant now alleges that the defendants in the underlying actions, who have been monitoring him and his family for more than fifty years, are “attempting to control the outcome” of those cases. Complainant appears to allege that the subject judges were either “instructed” by the defendants, or ignored the fact that they were controlling the outcome of the underlying cases.

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.

To the extent the complainant is alleging that the subject judges were complicit in the attempts by the defendants below to control the outcome of those cases, those allegations are insufficiently supported by credible facts to warrant either a limited inquiry as authorized by 28 U.S.C. § 352(b) or an investigation by a special committee appointed pursuant to 28 U.S.C. § 353. Nonetheless, the noted review of the district court record does not support complainant's allegations. "An allegation may be dismissed as 'inherently incredible' even if it is not literally impossible for the allegation to be true. An allegation is inherently incredible if no reasonable person would believe that the allegation, either on its face or in light of other available evidence, could be true." Implementation of the Judicial Conduct and Disability Act of 1980: A Report to the Chief Justice, Judicial Conduct and Disability Act Study Committee, Sept. 2006, p. 148. Complainant's allegations are inherently incredible, particularly in light of the other available evidence. The complaint therefore will be dismissed in part pursuant to 28 U.S.C. § 352(b)(1)(A)(iii) and Rule 11(c)(1)(D) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

For these reasons, the complaint will be dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(iii) and Rule 11(c)(1)(D) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. See *In re Complaint of Judicial Misconduct*, 858 F.2d 331 (6th Cir. 1988).

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

Date: October 30, 2020