JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:	*	
	*	
Complaints of Judicial Misconduct	*	06-25-90095
	*	06-25-90096
	*	
	*	
	*	

MEMORANDUM AND ORDER

This complaint of judicial misconduct was filed by [redacted] ("complainant") against [redacted], and [redacted] ("subject judges"), under 28 U.S.C. § 351.

After conducting an initial review, the chief judge may dismiss a complaint of judicial misconduct 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." Rules 11(c)(1)(A)–(D), Rules for Judicial-Conduct and Judicial-Disability Proceedings ("Judicial-Conduct Rules"); *see* 28 U.S.C. § 352(a), (b).

The subject judges presided over the complainant's pro se civil suit, which ended in dismissal. This misconduct complaint asserts that the subject judges were "playing favoritism" in the complainant's case. He also suggests that the subject judges committed misconduct by maintaining inactive law licenses.

The allegation of bias warrants dismissal. Although the judicial-complaint process may not be used to challenge the merits of a judge's ruling, an allegation that a decision is "the result of an improper motive" can constitute cognizable misconduct. *See* Judicial-Conduct Rule 4(b)(1). This complaint, however, makes only conclusory allegations that the subject judges were "playing favoritism." And a review of the record reveals nothing to substantiate a claim of bias. This complaint is thus subject to dismissal as lacking sufficient evidence to raise an inference that misconduct has occurred. *See* 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Any allegation concerning the subject judges' law licenses also warrants dismissal. No federal statute requires federal judges to maintain an active law license. To the contrary, federal judges may not practice law. *See* Canon 4(A)(5), Code of Conduct for U.S. Judges. Moreover, the state in question permits lawyers occupying federal judicial office to keep an inactive law license. This allegation is therefore dismissed as alleging conduct that, even if true, is not prejudicial to the effective and expeditious administration of the business of the courts. See 28 U.S.C. § 352(b)(1)(A)(i); Judicial-Conduct Rule 11(c)(1)(A).

Accordingly, it is **ORDERED** that the complaint be dismissed under 28 U.S.C. § 352(b)(1)(A)(i) and (iii) and Judicial-Conduct Rules 11(c)(1)(A) and (D).

/s/ Jeffrey S. Sutton
Chief Judge

Date: September 23, 2025