JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:	*	
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Complaint of Judicial Misconduct	*	06-25-90119
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MEMORANDUM AND ORDER

This complaint of judicial misconduct was filed by [redacted] ("complainant") against [redacted] ("subject judge"), 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 judge presides over the complainant's underlying pro se civil suit. After screening the complaint, the subject judge permitted the case to proceed on one claim and a magistrate judge ordered service of the screened complaint. In the meantime, the complainant moved for leave to file an amended complaint. After the complainant made various filings, the subject judge explained that the court would order service of the amended complaint if it granted leave to amend. The subject judge directed the complainant "to cease filing other documents" while the motion to amend was pending.

This misconduct complaint alleges the subject judge improperly ordered service of the original complaint. It further alleges that the order to "cease filing other documents" deprived the complainant of access to the court. The complainant has since filed three supplements totaling roughly 250 pages. The supplements elaborate on the original claim and attack subsequent procedural developments in the underlying case.

This complaint warrants dismissal. The claims directly challenge the merits of the subject judge's rulings in the underlying case. The judicial-complaint process may not be used to challenge the merits of judicial decisions; such decisions are not the proper subject of a complaint of judicial misconduct. *See* Judicial Conduct Rule 4(b)(1). The Judicial Council is not a court and has no jurisdiction to review the subject judge's rulings or to grant relief requested in the underlying case. *See In re Complaint of Judicial Misconduct*, 858 F.2d 331 (6th Cir. 1988). These allegations are dismissed as merits-related. *See* 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B).

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

/s/ Jeffrey S. Sutton
Chief Judge

Date: November 21, 2025