JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:	*	
	*	
Complaints of Judicial Misconduct	*	06-25-90120
	*	06-25-90121
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MEMORANDUM AND ORDER

This complaint of judicial misconduct was filed by [redacted] ("complainant") against [redacted] ("subject judges"), [redacted]

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 underlying civil case. The case was recently reassigned to another district judge in accordance with the court's local rules. The magistrate judge still presides over the matter.

The misconduct complaint challenges the subject judges' actions in the underlying case and accuses them of bias. It alleges that the judges mischaracterized the complainant's filings, ignored and mischaracterized important facts, allowed the defendant to file frivolous motions, and incorrectly denied multiple motions for summary judgment.

This complaint warrants dismissal. The bulk of the allegations challenge the merits of the subject judges' decisions in the underlying case. The judicial-complaint process may not be used to challenge the merits of judicial decisions made in underlying proceedings; 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 judges' 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 warrant dismissal because they are merits-related. *See* 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B).

The allegation of bias also warrants dismissal. Apart from disagreement with the subject judges' rulings, the complaint points to no evidence substantiating the claim that the subject judges demonstrated bias. This allegation thus warrants 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).

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

/s/ Jeffrey S. Sutton
Chief Judge

Date: March 12, 2026