JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:	*	
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Complaints of Judicial Misconduct	*	06-25-90141
	*	06-25-90142
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	*	

MEMORANDUM AND ORDER

This complaint of judicial misconduct was filed by [redacted] ("complainant") against [redacted] ("subject judge 1" and "subject judge 2," respectively), [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 complainant is a pro se litigant. Subject judge 1 presided over the complainant's underlying case and subject judge 2 issued rulings in the case on referral from subject judge 1.

This misconduct complaint contends that subject judge 2 has "engaged in or permitted retaliatory suppression of ADA filings" and that the clerk of court, deputy clerks, and court administrator may have "concealed timestamp filings" and "manipulated docket sequencing." The complaint contains no allegations against subject judge 1.

This complaint is subject to dismissal in its entirety.

Start with the claims against court employees. The Judicial Conduct and Disability Act authorizes complaints against judges. *See* 28 U.S.C. § 351(a). "The conduct of the

clerk is not subject to review through a judicial misconduct complaint." *See In re Complaint*, No. 05-6-351-65 (6th Cir. C.J. Apr. 24, 2006). And any errors made by court staff are not attributable to the presiding judge. *Id.* The allegations against the court employees are thus dismissed as outside the scope of the Judicial Conduct and Disability Act. *See* 28 U.S.C. § 352(b)(1)(A)(i).

Next, the complaint provides no evidence to support the claim that subject judge 2 engaged in or knew of manipulation of the court dockets. Nor does it contain evidence to suggest that he suppressed any filings. A review of the record reveals no evidence of docketing irregularities. The allegations against subject judge 2 are therefore dismissed 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).

Finally, because the complaint makes no specific allegation against subject judge 1, it will be dismissed as lacking sufficient evidence to infer that subject judge 1 committed misconduct. *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)(i) and (iii) and Judicial-Conduct Rule 11(c)(1)(D).

/s/ Jeffrey S. Sutton
Chief Judge

Date: April 7, 2026