JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:	*	
	*	
Complaints of Judicial Misconduct	*	06-25-90147
	*	06-25-90148
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	*	

MEMORANDUM AND ORDER

This complaint of judicial misconduct was filed by [redacted] ("complainant") against [redacted] ("subject judges"). *See* 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 underlying civil lawsuit. The complainant filed that case in June 2025. Upon one of the subject judge's recommendation, the other subject judge dismissed the case in November 2025.

This misconduct complaint alleges that the complainant had not received any communication regarding her claims and that the subject judges failed to rule in a timely manner.

A claim of delay is cognizable in judicial misconduct proceedings only if accompanied by an allegation that a particular decision was deliberately delayed with an improper motive, or that the subject judge has habitually delayed decisions in a significant number of unrelated cases. *See* Judicial-Conduct Rule 4(b)(2). Conversely, a complaint of delay in a single case may be said to challenge the correctness of the subject judge's

official action and is therefore merits-related. *See* Commentary to Judicial-Conduct Rule 4.

This complaint warrants dismissal. It identifies no evidence suggesting that the subject judges delayed their rulings with an improper motive, nor does it allege habitual delay in other cases. This allegation therefore challenges the correctness of the subject judges' official actions, so it must be 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: April 17, 2026