JUDICIAL COUNCIL OF THE SIXTH CIRCUIT
MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:	*	
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Complaint of Judicial Misconduct	*	06-25-90170
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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 criminal case. At the request of the complainant's court-appointed attorneys, the subject judge ordered a competency evaluation of the complainant. The complainant did not report as directed and was eventually taken into custody for the evaluation.

This misconduct complaint and several supplements allege that the subject judge ordered the competency evaluation to suppress the complainant's defense and in retaliation for the complainant's political protests. The filings also allege that the subject judge is biased against the complainant due to the complainant's heritage. Finally, the filings criticize the complainant's defense attorneys and accuse them of misconduct. The complainant requests immediate release from custody, vacatur of the competency evaluation order, and the subject judge's recusal.

This complaint warrants dismissal. The bulk of the allegations directly challenge the subject judge's rulings 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 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). Any allegations challenging the subject judge's rulings, including the decision to have the complainant undergo a competency allegation, are therefore dismissed as merits-related. *See* 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B).

The allegations of bias and improper motive also warrant dismissal. The complaint and supplemental filings offer only speculation about the subject judge's religious beliefs and ethnic identity as support for these claims. The bias and retaliation allegations 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, any allegations about court-appointed counsel are also dismissed. The Judicial Conduct and Disability Act authorizes complaints against judges. *See* 28 U.S.C. § 351(a). Allegations of attorney misconduct are not cognizable in this proceeding. These allegations are thus dismissed as outside the scope of the Act. *See* 28 U.S.C. § 352(b)(1)(A)(i).

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

/s/ Jeffrey S. Sutton
Chief Judge

Date: May 6, 2026