JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:	*	
	*	
Complaint of Judicial Misconduct	*	06-25-90171
	*	
	*	
	*	
	*	

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 presided over a bankruptcy proceeding involving the complainant's organization before recusing himself from the case.

This misconduct complaint challenges the subject judge's actions in the proceeding. It alleges that the subject judge allowed the case to proceed without required legal representation, improperly permitted a state attorney general's office to participate, violated procedural safeguards, and accepted a false and misleading stipulation. The complaint also alleges that the subject judge's issuance of an arrest warrant after the complainant missed a hearing "appeared retaliatory and punitive."

This complaint warrants dismissal. The bulk of the allegations challenge the merits of the subject judge's rulings and procedural decisions. The judicial-complaint process may not be used to challenge the merits of judicial decisions made in underlying proceedings. *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 proceeding. *See In re Complaint of Judicial Misconduct*, 858 F.2d 331 (6th Cir. 1988). These allegations will be dismissed because they are merits-related. 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B).

The allegation that the subject judge issued a bench warrant with an improper motive is also dismissed. The complaint alleges only that this "appeared retaliatory and punitive, rather than a fair application of judicial discretion." That is insufficient 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: May 6, 2026