JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:	*	
	*	
Complaints of Judicial Misconduct	*	06-25-90183
	*	06-25-90184
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MEMORANDUM AND ORDER

This complaint of judicial misconduct was filed by [redacted] ("complainant") against [redacted] ("subject judge 1"), and [redacted] ("subject judge 2"), [redacted] *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 suit against a county and other defendants. Subject judge 1 dismissed the complainant's claims for lack of prosecution after concluding that the complainant had failed to keep the court apprised of his current address.

This misconduct complaint challenges subject judge 1's dismissal order. It alleges that subject judge 1 previously served in public roles in the county that was named as a defendant, and that subject judge 1 is "continuing [the county's] tradition" of "constitutional violations against Black Americans." The complaint contends that the address was a result of the court's own administrative error, and that subject judge 1's conduct "raises serious concerns of bias, partiality, and a conflict of interest." It makes no allegations against subject judge 2.

These allegations against subject judge 1 warrant dismissal. Although the judicial-complaint process may not be used to challenge the merits of a judge's ruling, an allegation that a decision is "the result of an improper motive" can constitute cognizable misconduct. *See* Judicial-Conduct Rule 4(b)(1). This complaint, however, offers as evidence only subject judge 1's long-ago employment and disagreement with the merits of the dismissal order. That is not enough to raise an inference that misconduct has occurred, so these allegations are dismissed. *See* 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Because the complaint makes no specific allegations against subject judge 2, it will also be dismissed as lacking sufficient evidence to infer that subject judge 2 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)(iii) and Judicial-Conduct Rule 11(c)(1)(D).

/s/ Jeffrey S. Sutton
Chief Judge

Date: June 1, 2026