**JUDICIAL COUNCIL OF THE TENTH CIRCUIT**

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| IN RE: COMPLAINT UNDER THE JUDICIAL CONDUCT AND DISABILITY ACT | Nos. 10-19-90022 through 10-19-90024 |

Before **BRISCOE,** Circuit Judge

**ORDER**

Complainant has filed a complaint of judicial misconduct against one circuit judge, one district judge, and one magistrate judge in this circuit. My consideration of this complaint is governed by the misconduct rules issued by the Judicial Conference of the United States, entitled *Rules for Judicial-Conduct and Judicial-Disability Proceedings* (the "JCD Rules"), the federal statutes addressing judicial conduct and disability, 28 U.S.C. § 351 *et seq*., and relevant prior decisions of the full Judicial Council of this circuit that are consistent with those authorities.

The JCD Rules and this circuit's local misconduct rules are available to complainants on the Tenth Circuit's web page at: http://www.ca10.uscourts.gov/ce/misconduct. Paper copies are also furnished by the Circuit Executive's Office upon request. In accordance with those rules, the names of the complainant and subject judges shall not be disclosed in this order. *See* JCD Rule 11(g)(2).

Complainant filed a complaint against three judges alleging they engaged in misconduct. Complainant contends the district and magistrate judge improperly

sanctioned him because he did not own a printer. Complainant did not provide a case number to support his claim. Nevertheless, a general docket inquiry was conducted and there does not appear to be any support for complainant's allegation, or evidence that complainant was otherwise mistreated. Insofar as complainant may be challenging the judges' rulings, that claim is not cognizable as misconduct because it is "directly related to the merits of a decision or procedural ruling." JCD Rule 11(c)(1)(B); *see also* Commentary to JCD Rule 4 (stating that "[a]ny allegation that calls into question the correctness of an official decision or procedural ruling of a judge—without more—is merits-related"). If complainant is suggesting that any of the judges' rulings were made with an improper motive, that claim also fails because it is completely unsupported. The JCD Rules require complainants to support their allegations with "sufficient evidence to raise an inference that misconduct has occurred." *See* JCD Rule 11(c)(1)(D).

Complainant also appears to take issue with the circuit judge's administrative handling of a different misconduct matter. Complainant does not, however, provide any factual or evidentiary support for a claim of misconduct against that judge. *See* JCD Rule 11(c)(1)(D).

Accordingly, this complaint is dismissed pursuant to JCD Rule 11(c). The Circuit Executive is directed to transmit this order to complainant and copies to the subject judges and the Judicial Conference Committee on Judicial Conduct and Disability. *See* JCD Rule 11(g)(2). To seek review of this order, complainant must file a petition for review by the Judicial Council. The requirements for filing a petition for review are set

out in JCD Rule 18(b). The petition must be filed with the Office of the Circuit Executive within 42 days after the date of the order. *Id.*

So ordered this 4th day of November, 2019.

Honorable Mary Beck Briscoe
Circuit Judge