

**JUDICIAL COUNCIL OF THE
TENTH CIRCUIT**

IN RE: COMPLAINT UNDER THE
JUDICIAL CONDUCT AND DISABILITY
ACT

No. 10-24-90011

Before **HOLMES**, Chief Judge

MEMORANDUM & ORDER

Complainant has filed a complaint of judicial misconduct against a district 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: <https://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 judge shall not be disclosed in this order. *See* JCD Rule 11(g)(2).

Complainant, filing this misconduct complaint pro se and appearing pro se in the underlying civil matter, alleges the district judge committed misconduct by entering an order limiting Complainant’s ability to electronically file documents related to cases he files. The decision to limit the ability to electronically file documents is a discretionary one, ordinarily

guided by case-specific considerations. Accordingly, Complainant's claims are not cognizable as misconduct because they are "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"). Complainant does briefly suggest that the subject judge may have engaged in ostensible misconduct by issuing the filing limitation in some significant part to "scare" him for appearing "in his court," without any real intention of enforcing the limitation. Even making the generous assumption that such an allegation could be deemed more than directly merits-related and suggestive of some form of misconduct, Complainant would be obliged to support the allegation with sufficient evidence, and he has offered none. JCD Rule 11(c)(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 judge 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 chief judge's order. *Id.*

So ordered this 4th day of December, 2025.



Honorable Jerome A. Holmes
Chief Circuit Judge