

**JUDICIAL COUNCIL OF THE
TENTH CIRCUIT**

IN RE: COMPLAINT UNDER THE
JUDICIAL CONDUCT AND
DISABILITY ACT

No. 10-24-90026

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/cc/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).

As an initial matter, Complainant presents allegations against various non-judicial federal, state, and private actors affiliated with her underlying civil matter. While Complainant may be providing these details as background, it is important to clarify that these agencies and individuals are outside the purview of this review. *See* JCD Rule 1(b) (providing “[a] covered judge is defined under the Act and is limited to judges of United States courts of appeals, judges of United States district courts, judges of United States bankruptcy courts, United States magistrate judges, and judges of the courts specified in 28 U.S.C. § 363”).

Complainant, filing this misconduct complaint as well as the underlying civil matter pro se, makes various allegations against the district judge, some specific and others broad and unspecified. Essentially, Complainant alleges the district judge denied her full access to the courts by refusing to enter certain orders requested by Complainant, and by ruling against Complainant, and ultimately dismissing Complainant’s lawsuit. Complainant alleges delays in ruling by the district judge resulted in damages to her; however, a review of the underlying record shows no evidence of delay. To the contrary, the record demonstrates the judge ruled in a reasonably prompt manner despite numerous, often repetitive filings by the Complainant. The judge explained the logic behind the rulings and encouraged Complainant to avail herself of resources available to pro se litigants to assist Complainant in better understanding her options and the judicial process. There is no evidence, as Complainant alleges, that the judge was biased against her or denied her access to the court. Essentially, this complaint centers on Complainant’s disagreement with rulings that were not favorable to her. Such 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 hints at allegations of *ex parte* communication, and the possibility that the judge was influenced by friendships with lawyers, but she provides no specific instances that she believes demonstrate this conduct, nor does she provide evidence to support her vague intimations. Additionally, Complainant asks for an investigation of a conspiracy generally—not specifically related to the district judge named in the complaint—regarding relationships between “judicial officers” and the lending industry. This allegation appears to be rooted in Complainant’s belief that courts are not preventing home finance lenders from engaging in predatory practices. While allegations of conspiracy can state a valid claim for misconduct even when the alleged conspiracy relates to a judge’s ruling, *see* Commentary to JCD Rule 4, these conspiracy allegations as to the subject district judge are completely unsupported with any evidence. And the conspiracy allegations actually appear to be aimed at the judiciary as a whole—both state and federal—rather than the district judge named here. 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). Furthermore, Complainant’s broader allegation of a system-wide conspiracy involving unnamed judicial officials exceeds the bounds of the judicial misconduct complaint process.

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 5th day of January, 2026.

A handwritten signature in black ink, appearing to read "Jerome A. Holmes". The signature is written in a cursive style with a large initial "J".

Honorable Jerome A. Holmes
Chief Circuit Judge