

**JUDICIAL COUNCIL OF THE
TENTH CIRCUIT**

IN RE: COMPLAINT UNDER THE
JUDICIAL CONDUCT AND
DISABILITY ACT

No. 10-24-90033

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).

In his complaint against the district court judge, Complainant references other individuals including lawyers and estate and bankruptcy trustees. As an initial matter, Complainant's allegations against these individuals are not cognizable misconduct. *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 *pro se*, alleges that the district judge aided an estate trustee and officers of the court in committing fraud. The underlying matter stems from a bankruptcy appeal. Complainant makes vague and general allegations regarding the fraud he believes occurred, but does not provide details or evidence, and primarily submits information he believes bolsters his claims in the underlying case. These claims are not cognizable as misconduct both because they are vague, general, and presented without proof or supporting information, and 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”). Furthermore, to the extent that Complainant intimates that the district judge's actions were animated by hostility toward him because of his “Jewish Surname,” Complainant presents zero evidence of such an improper motive, and, accordingly, these intimations do not take his allegations out of the universe of claims that are directly merits-related. *See* JCD Rule 11(c)(1)(D) (allowing dismissal where the

complaint “is based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred”); *cf.* JCD Rule 4 (h)(3)(A) (noting that allegations that a judge’s rulings are “the result of an improper motive” such as “racial or ethnic bias” are “not cognizable [as misconduct] to the extent that” they are only merits-related).

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.



Honorable Jerome A. Holmes
Chief Circuit Judge