

**JUDICIAL COUNCIL OF THE
TENTH CIRCUIT**

IN RE: COMPLAINT UNDER THE
JUDICIAL CONDUCT AND
DISABILITY ACT

Nos. 10-25-90014 and 10-25-90045

Before **HOLMES**, Chief Judge

MEMORANDUM & ORDER

Complainant has filed two complaints of judicial misconduct against two magistrate judges in this circuit. The complaints have been consolidated for decision because they arise out of the same underlying case and factual circumstances. My consideration of these complaints 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.

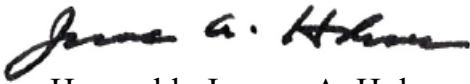
The JCD Rules and this circuit’s local misconduct rules are available to Complainants on the Tenth Circuit’s web page at:
<https://www.ca10.uscourts.gov/cc/misconduct>. Paper copies are also furnished by the Circuit Executive’s Office upon request. In accordance with those rules, the names of the Complainant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

Complainant, appearing pro se in the filing of this complaint and in the civil matter before the federal court, filed two complaints and two supplements, which contained specific allegations along with generalized complaints about the court system and his treatment within it. His allegations against the two magistrate judges essentially boil down to complaints that they treated him and his wife disrespectfully, failed to make accommodations for his disabilities or medical issues, were biased against him, allowed his counsel to withdraw and then failed to appoint counsel per his request, and reviewed his medical records without his permission. A limited inquiry was conducted whereby the underlying record was reviewed. Each of Complainant's allegations are addressed in that record, which does not provide support for Complainant's assertions. Rather, it appears that although the magistrate judges both made rulings with which Complainant disagreed including, ultimately, the dismissal of his federal claims, they both acknowledged Complainant's status as an elderly pro se individual (which he, himself, points out numerous times in both the civil matter and the misconduct complaint) and they took great pains to address his claims carefully and in detail. Without more, these 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").

Accordingly, these complaints are 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 chief judge's order. *Id.*

So ordered this 16th day of July, 2026.

A handwritten signature in black ink, appearing to read "Jerome A. Holmes". The signature is fluid and cursive, with the first name "Jerome" being more prominent.

Honorable Jerome A. Holmes
Chief Circuit Judge