

JUDICIAL COUNCIL
OF THE FIRST CIRCUIT

IN RE
COMPLAINTS NO. 01-08-90020
AND NO. 01-08-90021

BEFORE
Lynch, Chief Circuit Judge

ORDER
ENTERED: SEPTEMBER 18, 2008

On July 15, 2008, two complainants filed identical complaints of judicial misconduct under 28 U.S.C. § 351(a) against a district judge in the First Circuit. The complainants allege that the judge has failed to exercise his judicial duties impartially. The complaints consist exclusively of broad accusations of mental incompetence, incivility, and bias against criminal defendants. The complainants state that they obtained these statements from a website that purports to provide subjective ratings of federal and state judges.

The complaints are baseless. The complainants provide no incidents of the judge's alleged improprieties nor any other information that would warrant an investigation under the misconduct statute. See 28 U.S.C. § 351, et. seq. The complainants' reliance on a website containing unsolicited opinions submitted by unidentified persons does not substitute for "specific facts on which the claim of misconduct or disability is based." Rules for Judicial-Conduct and Judicial-Disability Proceedings (Rules of Judicial Misconduct), Rule 6(b). As the charges contained in the

complaints are presented without any factual foundation, they are dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(iii), and Rules of Judicial Misconduct, Rule 11(c)(1)(C).

For the reasons stated, Judicial Misconduct Complaints No. 01-08-90020 and No. 01-08-90021 are dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(iii).

9/18/08
Date

Sandra L. Lynch
Chief Judge Lynch