

JUDICIAL COUNCIL  
OF THE FIRST CIRCUIT

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IN RE  
COMPLAINTS NOS. 01-12-90001, 01-12-90002, 01-12-90003, and 01-12-90004

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BEFORE  
Lynch, Chief Circuit Judge

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ORDER

ENTERED: FEBRUARY 29, 2012

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Complainant, a litigant, filed a complaint, under 28 U.S.C. § 351(a), alleging that a district judge and three circuit judges suffered from what complainant calls a "disability" while presiding over the complainant's employment discrimination case. Complainant alleges that the district judge, who allowed the defendant's motion for summary judgment, and the appellate judges, who affirmed the district court's order, were "disabled" because they failed to recognize the validity of complainant's claims.

After a hearing at which complainant was represented by counsel, the district judge issued a lengthy order allowing the defendant's motion for summary judgment. Complainant appealed and, after oral argument before the three appellate judges, the court issued a lengthy opinion affirming the district court's order.

She complains about the reasoning used by the judges in ruling on her claims, and

that the four judges "were not able to do the math" on one issue. She states that the judges failed to detect "multiple, blatant inaccuracies" in the defendant's statements.

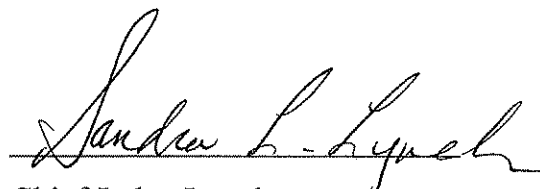
The complaint is not cognizable as a misconduct complaint. Complainant, who does not allege bias or misconduct of any kind, does not provide any basis whatsoever for her claim. See Rules for Judicial-Conduct and Judicial-Disability Proceedings (Rules of Judicial-Conduct), Rule 3(e) (A judicial disability is a "temporary or permanent condition rendering a judge unable to discharge the duties of the particular judicial office.").

Complainant's disagreement with the courts' decisions does not evidence a "disability." See Rules of Judicial-Conduct, Rule 3 and Commentary on Rule 3 (An allegation that does nothing more than call into question the correctness of a judge's substantive decision is merits-related.). The complaint is dismissed as frivolous, pursuant to 28 U.S.C. § 352(b)(1)(A)(iii), and as not cognizable, pursuant to 28 U.S.C. § 352(b)(1)(A)(ii). See also Rules of Judicial-Conduct, Rules 11(c)(1)(C), and 11(c)(1)(B), respectively.

For the reasons stated, Complaints Nos. 01-12-90001, 01-12-90002, 01-12-90003, and 01-12-90004 are dismissed, pursuant to 28 U.S.C. §§ 352(b)(1)(A)(ii) and 352(b)(1)(A)(iii). See also Rules of Judicial-Conduct, Rules 11(c)(1)(B) and 11(c)(1)(C).

February 29, 2012

Date

  
Chief Judge Lynch