

JUDICIAL COUNCIL
OF THE FIRST CIRCUIT

IN RE
COMPLAINT NO. 01-15-90029

BEFORE
Torruella, Circuit Judge

ORDER

ENTERED: APRIL 26, 2016

Complainant, an incarcerated pro se litigant, has filed a complaint under 28 U.S.C. § 351(a) against a First Circuit appellate judge. Complainant alleges only that the judge and a "Judicial Conference Committee have violated [complainant's] statutory, civil, Constitutional, and human rights by allowing [f]ederal [j]udges to commit crimes and by refusing to address [complainant's] [p]etitions for [r]eview in violation of 28 U.S.C. §331."¹ The misconduct complaint is frivolous and not cognizable.

Complainant is a frequent filer who has filed over 100 cases nationwide, including several unsuccessful appeals in which the First Circuit judge who is the subject of the present matter participated. Complainant fails to provide any facts whatsoever

¹The judicial misconduct complaint process does not provide an avenue for asserting claims against a committee of the Judicial Conference of the United States. See 28 U.S.C. § 351, *et seq.*, and Rules for Judicial-Conduct and Judicial-Disability Proceedings (Rules of Judicial-Conduct).

suggesting that the judge engaged in misconduct in connection with complainant's cases or otherwise. Accordingly, the misconduct complaint is dismissed as frivolous, pursuant to 28 U.S.C. § 352(b)(1)(A)(iii). See also Rules for Judicial-Conduct and Judicial-Disability Proceedings (Rules of Judicial-Conduct), Rule 11(c)(1)(C).

Insofar as the misconduct complaint is based on complainant's disagreement with the orders issued in his cases, it is not cognizable. See 28 U.S.C. § 352(b)(1)(A)(ii) and Rules of Judicial-Conduct, Rule 11(c)(1)(B).

For the reasons stated, Complaint No. 01-15-90029 is 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), respectively.

4/26/2016

Date



Judge Torruella