

JUDICIAL COUNCIL
OF THE FIRST CIRCUIT

IN RE
COMPLAINT NOS. 01-16-90011 - 01-16-90022

BEFORE
Howard, Chief Circuit Judge

ORDER

ENTERED: NOVEMBER 14, 2016

Complainant, a pro se plaintiff in a civil case, has filed a complaint of misconduct, under 28 U.S.C. § 351(a), against a First Circuit magistrate judge and district judge and against all active and senior judges on the Court of Appeals. Complainant alleges that the magistrate, district and appellate judges conspired with state court judges, federal judges from another district court outside of the First Circuit and others to fraudulently deny complainant's claims. The misconduct complaint is frivolous and not cognizable.¹

Complainant offers an incoherent narrative detailing the alleged chronology of his unsuccessful legal proceedings in multiple courts. Without any factual basis, complainant concludes that information "has been altered and or destroyed" and that the

¹ The Judicial Council has authorized me, as Chief Circuit Judge, to dispose of this matter on the merits "in the interest of sound judicial administration." See Rules for Judicial-Conduct and Judicial-Disability Proceedings (Rules of Judicial-Conduct), Rule 25(f) ("If all circuit judges in regular active service are disqualified, the judicial council may determine whether . . . in the interest of sound judicial administration, to permit the chief judge to dispose of the complaint on the merits. Members of the judicial council who are named in the complaint may participate in this determination if necessary to obtain a quorum of the council.").

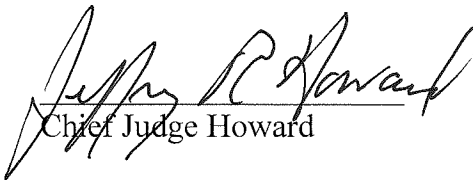
"courts and its associates" have wrongfully denied his claims in order to "'protect' thieves [sic] who committed felonys [sic]."

The reviewed record indicates that complainant filed a number of unsuccessful lawsuits in state and federal district and appellate courts concerning alleged interference with his property rights. The magistrate judge and district judge identified in the misconduct complaint issued rulings in one such case, as did three of the identified appellate judges. There is no indication that the other appellate judges named in the complaint were involved in complainant's case.

Complainant has not offered any evidence of judicial wrongdoing either by the judges who presided over his cases or by the other appellate judges he identifies. The misconduct complaint is based exclusively on complainant's dissatisfaction with the substantive rulings of multiple courts. Accordingly, it is dismissed as not cognizable and as frivolous, pursuant to 28 U.S.C. §§ 352(b)(1)(A)(ii) and 352(b)(1)(A)(iii), respectively. See also Rules of Judicial-Conduct, Rules 11(c)(1)(B) and 11(c)(1)(C).

For the reasons stated, Complaint Nos. 01-16-90011 - 01-16-90022 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), respectively.

11-14-16
Date


Chief Judge Howard