

JUDICIAL COUNCIL OF THE THIRD CIRCUIT

J.C. No. 03-24-90082

IN RE: COMPLAINT OF JUDICIAL MISCONDUCT
OR DISABILITY

ORIGINAL PROCEEDINGS UNDER 28 U.S.C. § 351

MEMORANDUM OPINION

(Filed: November 12, 2024)

PRESENT: CHAGARES, Chief Judge.

This complaint is filed under the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-64, against a United States District Judge (“Subject Judge”).¹ The Subject Judge passed away while the present complaint was pending. Accordingly, this complaint proceeding is concluded under 28 U.S.C. § 352(b)(2). See also Rule 11(e), Rules for Judicial-Conduct and Judicial-Disability Proceedings (providing that a complaint proceeding may be concluded “upon determining that intervening events render some or all of the allegations moot or make remedial action impossible . . .”).

s/ Michael A. Chagares
Chief Judge

¹ Complainant filed a prior unsuccessful complaint against the same Subject Judge that was dismissed as frivolous and merits-related. J.C. No. 03-23-90144.

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ORDER

(Filed: November 12, 2024)

PRESENT: CHAGARES, Chief Judge.

On the basis of the foregoing opinion entered on this date, it is ORDERED AND ADJUDGED that the written complaint brought pursuant to 28 U.S.C. § 351 is hereby concluded under 28 U.S.C. § 352(b)(2).

This order constitutes a final order under 28 U.S.C. § 352(c). Complainant is notified in accordance with Rules 11(g)(3) and 18, Rules for Judicial-Conduct and Judicial-Disability Proceedings, of the right to appeal this decision by the following procedure:

Rule 18(a) Petition. A complainant or subject judge may petition the Judicial Council of the Third Circuit for review.

Rule 18(b) Time. A petition for review must be filed in the Office of the Circuit Executive within **42 days** after the date of the chief judge's order.

18(b) Form. The petition should be in letter form, addressed to the Circuit Executive, and in an envelope marked "Misconduct Petition" or "Disability

Petition.” The name of the subject judge must not be shown on the envelope. The letter should be typewritten or otherwise legible. It should begin with “I hereby petition the judicial council for review of . . .” and state the reasons why the petition should be granted. It must be signed. There is no need to enclose a copy of the original complaint.

The full text of the Rules for Judicial-Conduct and Judicial-Disability Proceedings is available from the Office of the Circuit Executive and on the Court of Appeals’ internet site, www.ca3.uscourts.gov.

s/ Michael A. Chagares
Chief Judge

Dated: November 12, 2024