

JUDICIAL COUNCIL OF THE THIRD CIRCUIT

J.C. No. 03-25-90103

IN RE: COMPLAINT OF JUDICIAL MISCONDUCT
OR DISABILITY

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

MEMORANDUM OPINION

(Filed: December 16, 2025)

PRESENT: CHAGARES, Chief Judge.

This complaint is filed under the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-364, against a United States District Judge (“Subject Judge”). For the reasons discussed below, the complaint will be dismissed.

The Judicial Conduct and Disability Act provides a remedy if a federal judge “has engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts.” 28 U.S.C. § 351(a). A chief judge may dismiss a complaint if, after review, he or she finds it is not cognizable under the statute, is directly related to the merits of a decision or procedural ruling, or is frivolous or lacks sufficient evidence to raise an inference of misconduct. 28 U.S.C. § 352(b)(1)(A)(i)-(iii).

Complainant filed a petition for writ of habeas corpus challenging her arrest and physical custody. The Subject Judge denied the petition for lack of jurisdiction and ordered another case opened based on Complainant’s filings. The other petition was then

dismissed after Complainant did not pay the filing fee or file a motion to proceed in forma pauperis. In the present complaint, Complainant alleges that the Subject Judge failed to issue docket entries in “real time,” should not have marked her cases closed, should not have “dismantled” the docket in closed cases, shielded defendants and “blocked” attempts to serve them, exhibited bias and engaged in retaliation, and “may have benefitted personally” from an inheritance owed to Complainant and her brother, among other allegations.

As a preliminary matter, many of Complainant’s allegations pertain to the putative actions of Clerk’s office staff and not the Subject Judge; e.g., docketing related issues. Clerical functions are typically performed by District Court Clerk’s Office staff, not judges, and the record does not demonstrate that the Subject Judge played a clerical role in Complainant’s cases. Only allegations regarding federal judges can be addressed under the Judicial Conduct and Disability. 28 U.S.C. § 352(b)(1)(A)(i); Rule 1, Rules for Judicial-Conduct and Judicial-Disability Proceedings. In any event, to the extent Complainant suggests that the Subject Judge directed improper actions by Clerk’s Office staff, these allegations are subject to dismissal as frivolous and unsupported by evidence that would raise an inference that misconduct has occurred. 28 U.S.C. § 352(b)(1)(A)(iii); Rule 11(c)(1)(C), (D), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Complainant also clearly seeks to collaterally attack the Subject Judge’s decisions and procedural rulings. Such allegations, however, are merits-related and not cognizable. Rule 4(b)(1), Rules for Judicial-Conduct and Judicial-Disability Proceedings (“Cognizable

misconduct does not include an allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.”). Merits-related allegations are subject to dismissal. See 28 U.S.C. § 352(b)(1)(A)(ii); Rules 4(b)(1), 11(c)(1)(B), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Complainant’s remaining allegations are likewise subject to dismissal. The records in her cases have been reviewed and they do not support her allegations of bias and retaliation. The only support Complainant offers for these allegations is her disagreement with the Subject Judge’s rulings, and as discussed above, such allegations are not cognizable. Complainant, moreover, offers no support for her vague and baseless allegation that the Subject Judge “may” have benefitted from a family inheritance. These allegations are subject to dismissal as frivolous and unsupported by evidence that would raise an inference that misconduct has occurred. 28 U.S.C. § 352(b)(1)(A)(iii); Rule 11(c)(1)(C), (D), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Based on the foregoing, this complaint will be dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(i), (ii), and (iii).

s/ Michael A. Chagares
Chief Judge

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ORDER

(Filed: December 16, 2025)

PRESENT: CHAGARES, Chief Judge.

Based on 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 dismissed under 28 U.S.C. § 352(b)(1)(A)(i), (ii), and (iii).

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: December 16, 2025