

JUDICIAL COUNCIL OF THE THIRD CIRCUIT

J.C. Nos. 03-25-90129, 03-25-90130, 03-25-90131, 03-25-90132, 03-25-90133

IN RE: COMPLAINT OF JUDICIAL MISCONDUCT
OR DISABILITY

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

MEMORANDUM OPINION

(Filed: February 3, 2026)

PRESENT: CHAGARES, Chief Judge.

The present complaint is filed under the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-364, against three United States Circuit Judges (“Subject Judges I, II, III”), a United States Magistrate Judge (“Subject Judge IV”), and a United States District Judge (“Subject Judge V”). 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 alleges that the Subject Judges have engaged in “corruption, racial discrimination, harassment, neglect of office, pattern of discrimination, oppression, hate”

and have taken part of a conspiracy, among other allegations. Complainant further alleges that Subject Judge IV conspired with Subject Judge V to keep Complainant from filing complaints, motions, and petitions and committed “fraud perjury by noting your [Complainant] was a[] three strike filer”¹ Complainant also disputes Subject Judge IV’s conclusion that he failed to exhaust state court remedies and contends that he failed to seek a response from Complainant to his Report and Recommendation. In addition, Complainant complains that Subject Judge V took no action on crimes committed against Complainant and covered up corruption and discrimination leading to Complainant’s imprisonment.

Most of these allegations are merits-related and therefore do not constitute cognizable misconduct. 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 . . .”). The present administrative proceeding does not provide an alternative forum for review. “The misconduct procedure [under the Judicial Conduct and Disability Act] is not designed as a substitute for, or supplement to, appeals or motions for reconsideration. Nor is it designed to provide an avenue for collateral attacks or other challenges to judges’ rulings.” In re Memorandum of Decision of Judicial Conference Committee on Judicial Conduct and Disability, 517 F.3d 558, 561

¹ Complainant also makes allegations about a county district attorney, public officials., and an organization that cannot be addressed here. Only allegations against federal judges are cognizable under the Judicial Conduct and Disability Act. Rule 1, Rules for Judicial-Conduct and Judicial-Disability Proceedings; 28 U.S.C. § 352(b)(1)(A)(i).

(U.S. Jud. Conf. 2008). Complainant's merits-related allegations are therefore 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.²

Complainant's remaining allegations are baseless. The record reveals no evidence that the Subject Judges are engaged in corruption, conspiracy, or any other type of judicial misconduct. Complainant's only support for his allegations appears to be his disagreement with the Subject Judges' rulings and his continued imprisonment. The remaining allegations are therefore 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, the complaint will be dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(i), (ii), and (iii).

s/ Michael A. Chagares
Chief Judge

² Complaint has filed multiple unsuccessful appeals and petitions for writ of mandamus and/or prohibition. I express no opinion as to the merits of these matters in this separate administrative proceeding.

JUDICIAL COUNCIL OF THE THIRD CIRCUIT

J.C. Nos. 03-25-90129, 03-25-90130, 03-25-90131, 03-25-90132, 03-25-90133

IN RE: COMPLAINT OF JUDICIAL MISCONDUCT
OR DISABILITY

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

ORDER

(Filed: February 3, 2026)

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: February 3, 2026