

JUDICIAL COUNCIL OF THE THIRD CIRCUIT

J.C. No. 03-25-90135

IN RE: COMPLAINT OF JUDICIAL MISCONDUCT
OR DISABILITY

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

MEMORANDUM OPINION

(Filed: March 5, 2026)

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 Magistrate 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 pro se civil complaint in September 2025, which was assigned to the Subject Judge. The following month, Complainant filed a document arguing that

the case had been assigned to the Subject Judge as the result of an improper “backroom deal” and accusing the Subject Judge of “skullduggery” in the case assignment process. The Subject Judge construed the submission as a motion to recuse, confirmed that the matter had been assigned pursuant to the court’s random assignment process, and denied the motion. Shortly thereafter, however, the Subject Judge determined that recusal was necessary for other reasons, and the matter was reassigned. The civil action remains pending and the Subject Judge has had no further involvement.

Complainant alleges in this complaint of judicial misconduct that the civil case was not randomly assigned to the Subject Judge, and that the Subject Judge improperly “assumed responsibility for the case without any paper trail” and “destroyed” evidence about the case assignment process. Complainant alleges that the Subject Judge participated in a conspiracy concerning the case assignment, “defamed” Complainant by describing her as mistaken, and obtained special treatment for the Subject Judge’s “friend cronies in the court.” Complainant claims that the Subject Judge’s actions demonstrate favoritism and inequality and erode public faith in the court system. Complainant requests that litigants be informed in advance that the court does not employ randomized case assignments and seeks a formal letter of apology from the Subject Judge.

It is apparent that Complainant vigorously disagrees with the Subject Judge’s finding — reached in the course of the ruling on recusal — that Complainant’s case had

been randomly assigned to the Subject Judge.¹ Complainant's allegations contesting that finding are merits-related, and merits-related allegations 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, including a failure to recuse."). Because merits-related allegations are not cognizable in this proceeding, they 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 baseless. Complainant offers nothing to substantiate her claims that the Subject Judge destroyed evidence, engaged in a conspiracy, defamed Complainant, showed favoritism, or otherwise acted improperly. The Subject Judge participated in Complainant's case for a brief time and in a limited capacity, and a careful review of the record provides no support for a claim that misconduct occurred. The remaining allegations are therefore subject to dismissal as 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)(D), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

¹ To the extent Complainant's allegations extend to the District Court Clerk's Office staff members who participate in the case assignment process, it is noted that such individuals are not federal judges and therefore are not subject to the Judicial Conduct and Disability Act. See 28 U.S.C. § 351(d); Rule 1(b), Rules for Judicial-Conduct and Judicial-Disability Proceedings. Allegations of misconduct concerning non-covered individuals will not be addressed in this proceeding. See 28 U.S.C. §§ 351, 352(b)(1)(A)(i).

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: March 5, 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: March 5, 2026