

# United States Court of Appeals for the Federal Circuit

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IN RE COMPLAINT NO. FC-22-90019

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Before MOORE, *Chief Judge*.

## ORDER AND SUPPORTING MEMORANDUM

Before this court is a judicial misconduct complaint identifying a district court judge of the United States District Court for the Northern District of Ohio.

Under Rule 11(c)(1)(F) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, complaints must be dismissed when filed in the wrong court. Ordinarily, a complaint against a judge “must be filed with the circuit clerk in the jurisdiction in which the subject judge holds office.” Rule 7(a)(1).<sup>1</sup> Here, because the identified district court judge “holds office” in the jurisdiction of the United States Court of Appeals for the Sixth Circuit, the complaint was filed in the wrong court and hence must be dismissed.<sup>2</sup> Furthermore, to the extent that the com-

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<sup>1</sup> While there is an exception that allows for a complaint to be filed if the judge committed misconduct while sitting by designation, *see* Rule 7(b), it is not alleged that the judge ever sat by designation at this court, let alone during the alleged misconduct.

<sup>2</sup> The complaint also appears to name a “U.S. District Court of Appeals Judge,” but there is no district court or court of appeals judge with the name provided. To the extent that the complainant intended to allege

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JUN 24 2022

PETER R. MARKSTEINER  
CLERK

plainant is seeking review of a decision on a prior judicial misconduct complaint filed in another court, this court does not have jurisdiction to review such a decision.

Accordingly,

IT IS ORDERED THAT:

The complaint is dismissed.

June 24, 2022

Date

/s/ Kimberly A. Moore

Kimberly A. Moore

Chief Judge

There is a right to file a petition for review of this order. Pursuant to Rule 18(b) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, any petition for review must be received by the circuit executive within 42 days of the date of this order. Any petition must be sent to:

Circuit Executive

United States Court of Appeals for the Federal Circuit

717 Madison Place, NW

Washington, DC 20439

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judicial misconduct by a judge of the Sixth Circuit, that complaint was also directed to the wrong court. See Rule 7(a)(1).