

United States Court of Appeals for the Federal Circuit

IN RE COMPLAINT NOS.
F-08-90007, F-08-90008, and F-08-90009

Before MICHEL, Chief Judge.

ORDER AND SUPPORTING MEMORANDUM

A document including complaints of judicial misconduct was received by the court on September 23, 2008. The complaints concern three judges of this court.

In the complaint, the complainant asserts that the three judges erred in dismissing his appeal. The complainant asserts, inter alia, that the judges "made a judgment without allowing complainant a Constitutional Right to present his case befor[e] the courts" and that "THE ACTIONS OF [the judges] ARE A DELIBERATE CONSPIRACY TO AVERT THE COURSE OF JUSTICE ON A MATTER OF EVIDENCE POINTING IN THE OPPOSITE WAY, WITH NO RIGHTS OF REBUTTAL BY [complainant]."

Pursuant to Rule 11(c)(1)(B), the chief judge must dismiss a complaint that is "directly related to the merits of a decision or procedural ruling." See also 28 U.S.C. § 352(b)(1)(A)(ii) (chief judge may dismiss a complaint that is "directly related to the merits of a decision or procedural ruling"). Complainant's assertions are directed related to the merits of the court's dismissal order. Thus, the complaints must be dismissed.

Accordingly,

IT IS ORDERED THAT:

The complaints are dismissed pursuant to Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Oct. 8, 2008

Date

/s/ Paul R. Michel

Paul R. Michel
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 35 days of the date of the letter transmitting 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