

United States Court of Appeals for the Federal Circuit

IN RE COMPLAINT NOS. FC-16-90016, FC-16-90017,
FC-16-90018, FC-16-90019, AND FC-16-90020

Before PROST, *Chief Judge*.

ORDER AND SUPPORTING MEMORANDUM

The complainant has filed a complaint concerning a magistrate judge and a district court judge of the United States District Court for the District of Colorado and three judges of the United States Court of Appeals for the Tenth Circuit.

Pursuant to Rule 7(a)(1) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a complaint against a magistrate judge, district court judge, or a judge of a court of appeals “must be filed with the circuit clerk in the jurisdiction in which the subject judge holds office.” If the complaint alleges misconduct in the course of official business while the subject judge was sitting on a court by designation, then the complaint may be filed either with the circuit clerk in the jurisdiction in which the subject judge sat by designation or with the circuit clerk in the jurisdiction in which the subject judge holds office. Rule 7(b) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

The complainant does not assert that the subject judges sat by designation with the United States Court of Appeals for the Federal Circuit. Instead, the complaints concern judges who hold office in the jurisdiction of the

United States Court of Appeals for the Tenth Circuit.
Thus, the complaints were filed in the wrong circuit, and
dismissal of the complaint filed with this court is required
pursuant to Rule 11(c)(1)(F).

Accordingly,

IT IS ORDERED THAT:

The complaint is dismissed.

October 13, 2016
Date

/s/ Sharon Prost
Sharon Prost
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 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

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

OCT 13 2016

PETER R. MARKSTEINER
CLERK