

United States Court of Appeals for the Federal Circuit

IN RE COMPLAINT NOS. FC-17-90010 AND
FC-17-90013

Before PROST, *Chief Judge*.

ORDER AND SUPPORTING MEMORANDUM

The complainant has filed documents dated January 14, 2017 and February 17, 2017, which the court construes as judicial misconduct complaints concerning a magistrate judge and a district court judge of the United States District Court for the District of Minnesota.

Pursuant to Rule 7(a)(1) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a complaint against a magistrate judge or district court judge “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 Eighth Circuit.

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

MAR 09 2017

PETER R. MARKSTEINER
CLERK

Thus, the complaints were filed in the wrong circuit, and dismissal of the complaints filed with this court is required pursuant to Rule 11(c)(1)(F).

Accordingly,

IT IS ORDERED THAT:

The complaints are dismissed.

March 9, 2017

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