

United States Court of Appeals for the Federal Circuit

IN RE COMPLAINT NOS. FC-20-90013 AND FC-20-
90014

Before PROST, *Chief Judge*.

ORDER AND SUPPORTING MEMORANDUM

The complainant has filed two documents that the court construes as judicial misconduct complaints concerning a district judge of the United States District Court for the District of Arizona and a district judge of the United States District Court for the Eastern District of North Carolina.*

Pursuant to Rule 7(a)(1) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a complaint against a district court judge “must be filed with the circuit clerk in the jurisdiction in which the subject judge holds office.” However, 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

* Although the complainant submitted this court’s notice of appeal forms identifying the complainant’s district court cases, the court did not treat the filings as appeals because the attachments to the forms appear to complain of judicial misconduct. To the extent that the complainant wishes to appeal from a decision of a district court, the complainant must file a notice of appeal with the district court clerk. *See* Fed. R. App. P. 3(a)(1).

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MAR 12 2020

PETER R. MARKSTEINER
CLERK

jurisdiction in which the subject judge sat by designation or with the circuit clerk in the jurisdiction in which the subject judge holds office. *See* Rule 7(b).

The complainant does not assert that the subject judges sat by designation with the United States Court of Appeals for the Federal Circuit. Because the complaints concern judges holding office in the jurisdictions of the United States Court of Appeals for the Ninth Circuit and the United States Court of Appeals for the Fourth Circuit, 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 12, 2020

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 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