

United States Court of Appeals for the Federal Circuit

IN RE COMPLAINT NO. FC-21-90002

Before PROST, *Chief Judge*.

ORDER AND SUPPORTING MEMORANDUM

A judicial misconduct complaint has been filed against a district court judge of the United States District Court for the Western District of Arkansas.*

Because the complaint does not allege that the subject judge committed misconduct while sitting by designation at this court, it is clear that the complaint was filed in the wrong court. Under Rule 7(a)(1), a complaint against a district court judge “must be filed with the circuit clerk in the jurisdiction in which the subject judge holds office.” Rule 7(a)(1). The subject judge here holds office in the jurisdiction of the United States Court of Appeals for the Eighth Circuit, not the Federal Circuit. Thus, dismissal of the complaint is required under Rule 11(c)(1)(F).

Accordingly,

* To the extent the complainant also asserts wrongdoing by other individuals who are not covered by the rules, such as a state court judge, the court does not accept any complaint against those individuals. See Rule 8(d) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings (providing that the court may only accept a complaint against a person covered by the rules).

IT IS ORDERED THAT:

The complaint is dismissed.

January 20, 2021
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

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT
January 20, 2021
PETER R. MARKSTEINER
CLERK