

# United States Court of Appeals for the Federal Circuit

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IN RE COMPLAINT NO. F-10-90005

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Before RADER, *Chief Judge*.

## ORDER AND SUPPORTING MEMORANDUM

A complaint of judicial misconduct was received by the court on May 25, 2010. The complaint concerns a judge who is a member of the United States District Court for the Northern District of Alabama.

Pursuant to Rule 7(a)(1) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, "a complaint against a judge of a . . . United States district court . . . must be filed with the circuit clerk in the jurisdiction in which the subject judge holds office." Because this complaint is against a judge in the Northern District of Alabama, it should have been filed with the circuit clerk of the United States Court of Appeals for the Eleventh Circuit.

Pursuant to Rule 11(c)(1)(F) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a complaint "must be dismissed in whole or in part to the extent that the chief judge concludes that the complaint . . . has been filed in the wrong circuit under Rule 7 . . . ." Because this complaint was filed in the wrong circuit, it is dismissed.

Accordingly,

IT IS ORDERED THAT:

The complaint is dismissed pursuant to Rule 11(c)(1)(F) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

June 30, 2010

Date

/s/ Randall R. Rader

Randall R. Rader  
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

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

JUN 30 2010

JAN HORBALY  
CLERK