

# United States Court of Appeals for the Federal Circuit

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IN RE COMPLAINT NO. F-12-90001

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Before RADER, *Chief Judge*.

## ORDER AND SUPPORTING MEMORANDUM

A complaint of judicial misconduct was received by the court on December 27, 2011. The complaint concerns five judges of this court. The document including the complaint also requested that those judges be disqualified from further participation in complainant's cases. That disqualification request is not addressed herein.

In complainant's case before the Merit Systems Protection Board, the Board dismissed some of the complainant's claims and dismissed the others for lack of jurisdiction. The complainant petitioned this court for review. A panel of three judges affirmed the Board's disposition. The complainant also filed two mandamus petitions concerning some of his cases at the Board. Those mandamus petitions were denied by a motions panel. The complaint is against five of the court's judges who served on the merits panel and/or the motions panel.

The complainant states that the judges "discriminated against me . . . and in favor of the agencies" but does not allege any conduct other than the judges' rulings on the cases.

A complaint must be dismissed if the complaint is directed to the merits of a decision or procedural ruling. Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and

Judicial-Disability Proceedings. The complaint is directed entirely to the merits of the court's rulings and thus must be dismissed.

Accordingly,

IT IS ORDERED THAT:

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

January 25, 2012

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