

MAR 04 2024

JARRETT B. PERLOW  
CLERK OF COURT

# United States Court of Appeals for the Federal Circuit

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IN RE COMPLAINT NOS. FC-25-90015, FC-25-90016,  
FC-25-90017, FC-25-90018, FC-25-90019, FC-25-90020,  
FC-25-90021, FC-25-90022, FC-25-90023, FC-25-90024,  
FC-25-90025, AND FC-25-90026

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Before MOORE, *Chief Judge*.

## ORDER AND SUPPORTING MEMORANDUM

After unsuccessfully appealing decisions by the United States Court of Appeals for Veterans Claims at this court—first, before a three-judge panel, and then on rehearing en banc—the complainant filed this misconduct complaint against all judges involved in his prior appeal arguing the judgment must be “reversed and vacated.”

Because I am one of the named judges, I would ordinarily recuse from ruling on the matter. However, where, as here, all regular active circuit judges are disqualified, the court may “determine whether to request a transfer [to another circuit] under Rule 26, or, in the interest of sound judicial administration, to permit the chief judge to dispose of the complaint on the merits.” Rule 25(f) the Rules for Judicial-Conduct and Judicial-Disability Proceedings. Pursuant to that rule, the court has directed me to decide the merits of these consolidated complaints.

The complainant argues that this court “lacked jurisdiction to enter a valid, enforceable judgement of the claim or appeal.” But misconduct proceedings are not an extension of the normal appellate review process. Because the complaint is directed only to “the merits of a decision or

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procedural ruling,” I dismiss. 28 U.S.C. § 352(b)(1)(A)(ii);  
*see also* Rule 4(b)(1); Rule 11(c)(1)(B) (providing for dismissal of a judicial misconduct complaint if it “is directly related to the merits of a decision or procedural ruling”).

Accordingly,

IT IS ORDERED THAT:

The complaints are dismissed.

March 4, 2025  
Date

/s/ Kimberly A. Moore  
Kimberly A. Moore  
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