

25-90033-jm, 25-90104-jm
February 11, 2026
Acting Chief Judge

**JUDICIAL COUNCIL OF THE
SECOND CIRCUIT**

-----X

In re

CHARGES OF JUDICIAL MISCONDUCT

Docket Nos. 25-90033-jm
25-90104-jm

-----X

RAYMOND J. LOHIER, JR., *Acting Chief Judge*:¹

In March and October 2025, the Complainant filed two complaints with the Clerk’s Office of the United States Court of Appeals for the Second Circuit pursuant to the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351–364 (the “Act”), and the Rules for Judicial-Conduct and Judicial-Disability Proceedings (the “Rules”), charging the Chief Judge of this Circuit with misconduct.

¹ This complaint was forwarded to Acting Chief Judge Raymond J. Lohier, Jr., pursuant to Rule 25(a), (f).

BACKGROUND

The Complainant filed two previous complaints of judicial misconduct (24-90122 and 25-90006) related to a lawsuit he had filed in district court. In them, he alleged that the district judge had erred by dismissing his case and, further, that the district judge had wrongly entered orders in a case to which she was not assigned. The Chief Judge dismissed the complaints in an order entered in April 2025, familiarity with which is assumed.

The Complainant then filed the first (25-90033) of the two current complaints against the Chief Judge, alleging in total: “This complaint against [the Chief Judge] is for her interfering with and denying my due process rights under the Fourteenth Amendment by canceling my motions for RESPONDEAT SUPERIOR JUDGMENT FOR \$1,784.000 AGAINST NEW YORK CITY.” The Complainant attaches a copy of a motion he had filed in district court.

The second complaint, 25-90104, again alleges that the Chief Judge “dismissed my motion . . . in which I made a demand for a respondeat superior judgment,” and contains argument purporting to explain why the Complainant was entitled to judgment in his favor in his underlying lawsuit.

DISCUSSION

The complaints are dismissed.

It does not appear that the Chief Judge had any role in deciding the motion to which the Complainant refers, but, regardless, to the extent he challenges the denial or dismissal of a motion, his claim is that the Chief Judge got it wrong, not that she engaged in misconduct. Accordingly, the claims are dismissed as “directly related to the merits of a decision or procedural ruling.” 28 U.S.C. § 352(b)(1)(A)(ii); Rule 4(b)(1) (“Cognizable misconduct does not include an allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.”); 11(c)(1)(B). Purely merits-related allegations are excluded from the Act to “preserve[] the independence of judges in the exercise of judicial authority by ensuring that the complaint procedure is not used to collaterally call into question the substance of a judge’s decision or procedural ruling.” Rule 4 cmt. If the Complainant wishes to challenge the denial of his motion, he may do so, to the extent the law allows, through normal appellate procedures.

The Complainant has now filed at least four meritless complaints of judicial misconduct arising from the same underlying proceeding. He is warned that further abuse of the judicial misconduct complaint process may result in the

imposition of restrictions or conditions on its use. *See* Rule 10(a) (“A complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints.”).

The Clerk is directed to transmit copies of this order to the Complainant and to the Chief Judge.