JUDICIAL COUNCIL OF THE THIRD CIRCUIT

J.C. No. 03-10-90099

IN RE: COMPLAINT OF JUDICIAL MISCONDUCT
OR DISABILITY

ORIGINAL PROCEEDINGS UNDER 28 U.S.C. § 351

(Filed: July 18, 2011)

PRESENT: RENDELL, BARRY, AMBRO, BROWN, KANE, SLEET, LANCASTER, and JOYNER, Members of the Judicial Council

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ORDER TO SHOW CAUSE

Complainant has an extensive history of abusing the complaint procedures provided under the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-64. Since 1991, Complainant has filed a total of thirteen judicial misconduct actions.[1] The complaints in these actions are replete with frivolous allegations and are lacking sufficient evidence to raise an inference that misconduct had occurred. Complainant has also sought repeatedly to challenge the merits of judicial decisions and procedural

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[1] Complainant's actions include J.C. Nos. 91-06, 91-07, 91-08, 91-09, 91-15, 91-16, 91-17, 91-18, 03-08-90077, 03-08-90079, 03-09-90074, 03-09-90075, and 03-10-90099. These complaints were all dismissed.

rulings, although he was expressly advised that such allegations are not cognizable under the Judicial Conduct and Disability Act. Notably, Complainant is already the subject of an order issued by United States Court of Appeals for the Third Circuit enjoining him from filing any appeal or petition for writ of mandamus/prohibition related to certain prior district court civil actions.

In the Memorandum Opinions filed in J.C. Nos. 03-08-90077, 03-08-90079, and 03-09-90074, Complainant was cautioned that filing further improper complaints could result in sanctions under Rule 10(a). Complainant nonetheless proceeded to file J.C. No. 03-10-90099, which again sets forth merits-related allegations.

Accordingly, Complainant is directed to show cause in writing why he should not be enjoined under Rule 10(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings from filing any further complaints of judicial misconduct or disability under the Judicial Conduct and Disability Act with the Judicial Council of the Third Circuit.[2] Any response to this order shall be filed with the Clerk of the Court of Appeals for the

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[2] Rule 10(a), Rules for Judicial-Conduct and Judicial-Disability Proceedings provides:

> A complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints. After giving the complainant an opportunity to show cause in writing why his or her right to file further complaints should not be limited, a judicial council may prohibit, restrict, or impose conditions on the complainant's use of the complaint procedure. Upon written request of the complainant, the judicial council may revise or withdraw any prohibition, restriction, or condition previously imposed.

Third Circuit within twenty-one (21) days of the date of this order. Pending determination of this matter, the Clerk will not accept for filing any new complaints submitted by Complainant.

For the Council,

/s/ Marjorie O. Rendell
Circuit Judge

Dated: July 18, 2011