

JUDICIAL COUNCIL  
OF THE FIRST CIRCUIT

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IN RE  
COMPLAINT NO. 01-20-90015

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BEFORE  
Gelpí and Montecalvo, Circuit Judges  
Mastroianni, Arias-Marxuach, and McElroy District Judges

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ORDER

ENTERED: NOVEMBER 28, 2022

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Petitioner, a pro se litigant, has filed a petition for review of Chief Judge Howard's order dismissing his complaint, under 28 U.S.C. § 351(a), against a district judge in the First Circuit. Then Chief Judge Howard dismissed the complaint as baseless and as not cognizable, pursuant to 28 U.S.C. §§ 352(b)(1)(A)(iii) and 352(b)(1)(A)(ii), and Rules for Judicial-Conduct and Judicial-Disability (Rules of Judicial-Conduct), Rules 11(c)(1)(D) and 11(c)(1)(B). A review panel of the Judicial Council of the First Circuit has considered the petition for review and the relevant materials, and has concluded that the petition for review should be denied for the reasons stated in then Chief Judge Howard's order of dismissal. See Rules of Judicial-Conduct, Rules 18(a) and 19(b)(1) and First Circuit Local Rule 19(a).

Therefore, the order of dismissal issued in Judicial Misconduct Complaint No. 01-20-90015 is affirmed. See Rules of Judicial-Conduct, Rule 19(b)(1).

As the underlying complaint is petitioner's second baseless misconduct complaint, petitioner is reminded that the filing of another frivolous or repetitive complaint may precipitate issuance of an order to show cause. See Rules of Judicial-Conduct, 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 . . .").

November 28, 2022

Date

  
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Susan Goldberg, Secretary