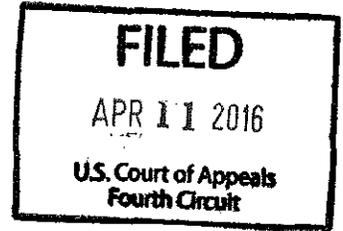


UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
JUDICIAL COUNCIL



In the Matters of *
Judicial Complaints * Nos. 04-15-90163
Under 28 U.S.C. § 351 * 04-15-90164

MEMORANDUM AND ORDER

Complainant filed ten judicial complaints during 2015, the final complaint having been filed after complainant had been warned regarding imposition of filing restrictions to prevent further abuse of the complaint procedure. Complainant was ordered to show cause why filing restrictions should not be imposed. No response has been filed.

Rule 10(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings provides as follows:

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.

The ten complaints filed by complainant in 2015 raised conclusory and repetitive allegations of misconduct that were

dismissed as related to the merits of the judges' decisions and as lacking any factual showing of judicial misconduct. The orders dismissing complainant's prior judicial complaints clearly informed him of the need to present factual support for his allegations, yet complainant continued to file unsupported claims of bias, collusion, and illegal conduct. Complainant's continued filing of charges for which he had no evidence created a pattern of frivolous filings. To stem further frivolous filings,

IT IS ORDERED that complainant shall not file any subsequent judicial complaints in this Circuit without first obtaining leave to file from the Chief Judge. If a complaint is submitted without a motion for leave to file, the clerk will inform complainant that it will not be considered. If the Chief Judge denies leave to file, the clerk will notify complainant that leave to file has been denied. If the Chief Judge grants leave to file, the complaint will proceed in the normal course.

FOR THE COUNCIL:

A handwritten signature in black ink that reads "Samuel W. Phillips". The signature is written in a cursive style with a horizontal line underneath the name.

Samuel W. Phillips, Secretary

April 11, 2016