

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

In the Matter of a

*

No. 04-18-90102

Judicial Complaint

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Under 28 U.S.C. § 351

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MEMORANDUM AND ORDER

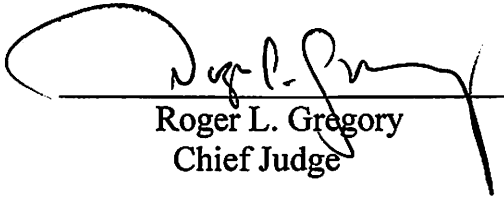
Complainant brings this judicial complaint against a district judge pursuant to the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-364, which provides an administrative remedy for judicial conduct that is "prejudicial to the effective and expeditious administration of the business of the courts." 28 U.S.C. § 351(a).

Complainant alleges in his judicial complaint that writs he has filed with the clerk of the district court have not been docketed. He concludes that the clerk's office has been destroying documents he has filed, thereby denying him access to justice. The district judge named in the complaint is the chief judge of the district court.

Allegations of misconduct or negligence in the clerk's office do not constitute allegations against any judge of the court, including the chief judge. Judges ordinarily do not participate in the ministerial functions of the clerk's office. The complaint offers nothing to suggest that the named district judge has done so here.

Accordingly, this judicial complaint is dismissed as lacking in factual support. 28 U.S.C. § 352(b)(1)(A)(iii).

IT IS SO ORDERED.



Roger L. Gregory
Chief Judge