

United States Court of Appeals for the Federal Circuit

IN RE COMPLAINT NO.
F-10-90004

Before MICHEL, Chief Judge.

ORDER AND SUPPORTING MEMORANDUM

A complaint of judicial misconduct was received by the court on October 22, 2009. The complaint concerns a judge who is a member of the United States Court of Federal Claims.

Pursuant to Rule 7(a)(2) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, "a complaint against a judge of the . . . United States Court of Federal Claims must be filed with the . . . clerk of that court." Therefore, the complaint was filed in the wrong court.

Pursuant to Rule 11(c)(1)(F) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a complaint "must be dismissed in whole or in part to the extent that the chief judge concludes that the complaint . . . has been filed in the wrong circuit under Rule 7" I can only so conclude and have.

Accordingly,

IT IS ORDERED THAT:

The complaint is dismissed pursuant to Rule 11(c)(1)(F) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Oct. 26, 2009

Date

/s/ Paul R. Michel

Paul R. Michel
Chief Judge

There is a right to file a petition for review of this order. Pursuant to Rule 18(b) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, any petition for review must be received by the circuit executive within 35 days of the date of the letter transmitting this order. Any petition must be sent to:

Circuit Executive
United States Court of Appeals for the Federal Circuit
717 Madison Place, NW
Washington, DC 20439