

COMPLAINT FORM  
JUDICIAL COUNCIL OF THE NINTH CIRCUIT  
COMPLAINT OF JUDICIAL MISCONDUCT AND DISABILITY

MAIL THIS FORM TO THE CLERK, UNITED STATES COURT OF APPEALS, P.O. BOX 193939,  
SAN FRANCISCO, CA 94119-3939. MARK THE ENVELOPE "JUDICIAL MISCONDUCT COMPLAINT" OR  
"JUDICIAL DISABILITY COMPLAINT." DO NOT PUT THE NAME OF THE JUDGE ON THE ENVELOPE.

SEE RULE 2(e) FOR THE NUMBER OF COPIES REQUIRED FOR FILING.

1. Complainant's name: JOHN GEREMIA AND LYNN GEREMIA

Address: 3105 PALO VERDE  
LAUGHLIN, NEV. 89029

Daytime telephone: (702) 298-3948

2. Name of judge complained about: APPELLATE JUDGE JOHANNIE RAWLINS  
DISTRICT JUDGE ROGER HUNT

Court: 9TH CIRCUIT, FEDERAL COURT NEVADA DISTRICT

3. Does this complaint concern the behavior of the judge in a particular lawsuit or lawsuits?

Yes  No

If "yes" give the following information about each lawsuit (use reverse side if there is more than one):

Court: U.S. DISTRICT COURT OF NEVADA

Docket Number: CV-5-99-1703-KTD-LRL FORMALLY  
CV-5-99-1703 JBR(CRL)

Are (were) you a party or lawyer in the lawsuit?  Party  Lawyer  Neither

If a party, give the name, address, and telephone number of your lawyer:

PROPER PERSON

Docket numbers of any appeals to the Ninth Circuit: 00-15023

4. Have you filed any lawsuits against the judge?  Yes  No

If yes, give the following information about each lawsuit (use the reverse side if there is more than one):

Court:

Present status of suit:

Name, address, and telephone number of your lawyer:

Court to which any appeal has been taken:

Docket number of the appeal:

Present status of appeal:

5. Statement of Facts: On separate sheets of paper, not larger than the paper this form is printed on, describe the facts and evidence that support your charges of misconduct or disability. See Rules 1(c) (proper

grounds for a complaint; does not include merits of judges' decisions), 2(b) (content of the statement of facts) and 2(d) (attachment of supporting materials). Do not use more than 5 pages (5 sides). Most complaints do not require that much.

6. You should either:

- (1) Check the first box below and sign this form in the presence of a notary public; or
- (2) Check the second box and sign the form. You do not need a notary public if you check the second box.

I

I swear (affirm) that:

I

I declare under penalty of perjury that:

**I have read rules 1 and 2 of the Rules of the Judicial Council of the Ninth Circuit Governing Complaints of Judicial Misconduct or Disability, and the statements made in this complaint are true and correct to the best of my knowledge.**

Jeremie Lynn Jeremia  
(Signature)

Executed on 4-23-01  
(Date)

ATTACHED

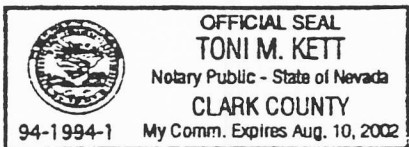
7 COPIES

# 70993220000191719503

Sworn and subscribed to before me 4-23-01  
(Date)

Toni M. Kett  
(Signature of Notary Public)

My commission expires: 8-10-02



1  
2 IN THE UNITED STATES COURT OF APPEALS

3 FOR THE NINTH CIRCUIT  
4

---

5 LYNN GEREMIA  
6 JOHN GEREMIA

7 Plaintiff

8 vs.

9 COLORADO BELLE CORP., et al.,

10 Defendants.  
11

---

12 Complaint pursuant to 28 U.S.C. 372  
13 against United States District Judge Roger Hunt and  
14 the Honorable United States Appellate Judge  
15 Johnnie B. Rawlinson  
16 Case No. CV-S-99-1703-KJD-(LRL)  
17

---

18 PLAINTIFFS' LYNN GEREMIA  
19 AND JOHN GEREMIA'S  
20 OPENING BRIEF IN PROPER PERSON

21 LYNN GEREMIA  
22 JOHN GEREMIA  
23 3105 PALO VERDE  
24 LAUGHLIN, NV.  
25 89029  
(702) 298-3948

1  
2  
3 STATEMENT OF FACTS  
4

5 The following facts are basically undisputed. During litigation of Nevada Federal  
6 District Court case CV-S-99-1703-KJD-(LRL) the following acts of bias and impropriety  
7 did occur....

8 I.

9 There was improper ex parte communication between Colorado Belle  
10 Defendant counsel and Judge Roger Hunt. Contrary to Defendant Colorado Belle  
11 Corp.'s assertion that Judge Hunt "offered" to provide wage records, he asserts that  
12 Colorado Belle "provided" information. See attached Exhibit 1 Colorado Belle  
13 opposition and Judge Hunt's order Exhibit 2, page 5 at line 7. How did he know "wage  
14 records" were provided as plaintiff did not mention it? Nothing filed with court would  
15 notice Judge Hunt of the providing of this discovery.

16 II.

17 Judge Hunt refused to recuse himself contrary to 28 U.S.C. 144.

18 Although Plaintiffs Geremias requested Judge Hunt recuse himself Judge Johnnie  
19 Rawlinson and Judge Hunt referred it as a request for Judge Hunt to disqualify himself  
20 pursuant to 28 U.S.C. 455

21 Obviously it should have been properly referred as a request to recuse. This  
22 should have been referred pursuant to 28 U.S.C. 144. The plaintiff is in proper person  
23 which precludes the need for a "sufficient affidavit". Contrary to Judge Rawlinson's and  
24 Hunt's assertion in orders there need not be proof of bias only a "belief". see, 28 U.S.C.  
25 144 and Judge Rawlinson's order attached as Exhibit 6.  
26  
27  
28

1  
2 This is also evidently not in the best interest of the Plaintiff but rather self serving.  
3 Allegations of pro se complaint are held to less stringent standards than formal pleadings  
4 drafted by lawyers. Haines v. Kerner 92 S. Ct. 504.

5  
6 **III.**

7 Judge Rawlinson states an untruth when she asserts that Plaintiff Geremia  
8 failed to attach their Amended Complaint to their Motion to Amend. The record  
9 clearly reflects this see attached hereto order Exhibit 4 and Motion Exhibit 3. Most  
10 particularly Certificate of Mailing at line 3 and 4

11 **IV.**

12 Judge Hunt clearly violated Canon 2 and 3 when he initially began to  
13 administer case CV-S-99-1703-KJD-LRL (originally case  
14 CV-S-99-1703-(JBR)-(RLH). When assigned case 1703 Judge Hunt should have  
15 recused himself as he had recently administered a prior case CV-S-97-1166-DWH-(RLH)  
16 which involved allegations of criminal behavior by co-plaintiff John Geremia. This case  
17 was on Appeal 00-15023 and denied, it is in process of new Appeal. Notice has been  
18 filed.

19 **V.**

20 In regards to case CV-S-99-1703-KJD (LRL) Judge Hunt signed defendant's  
21 Discovery Plan even though Plaintiff never attended the 26.1 discovery conference.  
22 The Plaintiff was not properly noticed for the 26.1 conference and there was a discovery  
23 dispute so plaintiff did not attend. To sign the discovery plan is obviously bias behavior.  
24  
25  
26  
27  
28

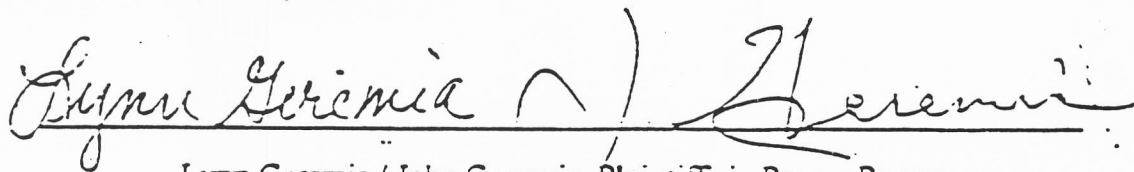
1  
2 IN REGARDS TO THE TIME IT HAS TAKEN TO BRING THIS JUDICIAL  
3 MISCONDUCT COMPLAINT TO THE 9TH CIRCUIT.

4 Geremia attempted to file this Judicial Misconduct Complaint three times in the  
5 past beginning August 4, 2000. The first time 9th Circuit court clerk Gwen Baptiste  
6 denied receiving complaint which was sent via certified mail. see exhibit 9. Next  
7 complaint was returned with no explanation see exhibit 8. Finally the complaint was  
8 returned properly pursuant to RJC 9th Circuit Rule 3 (d). This matter has been turned  
9 over to Congressional Subcommittees and will continue to be referred there do to this  
10 behavior and the fact that these Judges were being investigated by the United States  
11 Senate at the time of above conduct.

12  
13  
14  
15 CONCLUSION

16 Plaintiff Geremias request this court censure or reprimand Judge hunt and Judge  
17 Rawlinson and order such action as it considers appropriate pursuant to 28 U.S.C. 372(6)  
18 (B)(vi) and (vii).

19 Dated this 4th day of April, 2001.

20  
21 

22  
23  
24  
25  
26  
27  
28  
Lynn Geremia / John Geremia, Plaintiffs in Proper Person