

CIRCUIT COUNCIL
FOR THE FIRST CIRCUIT

IN RE

COMPLAINT NO. 161

GEORGE SASSOWER

Before
Selya, Cyr, Boudin and Stahl, Circuit Judges,
and Keeton, Carter, Laffitte, Torres and
Barbadoro, District Judges.

ORDER

Entered Oct. 28, 1994

Complainant has filed a petition for review of Chief Judge Torruella's order dismissing complainant's complaint of judicial misconduct filed under 28 U.S.C. § 372(c) against a circuit judge and two district judges. We deny the petition for review for the reasons stated by Chief Judge Torruella.

The complaint charged that the three judges, having been paid off by complainant's litigation opponents, have destroyed documents submitted by complainant for filing. One of the district judges was alleged to have issued an order returning complainant's district court complaint unfiled.

As Chief Judge Torruella pointed out, the complaint gave no reason to think that any of the named judges had anything to do with any alleged errors of the clerk's office in filing complainant's submissions. The complaint provided no factual support whatsoever for the charge of bribery. The allegation that the district judge issued an order returning complainant's district court complaint unfiled is directly related to the merits of the district judge's order, and is therefore not cognizable under the Act. See 28 U.S.C. § 372(c)(3)(A)(ii).

The petition for review is denied.

By the Circuit Council:


Secretary