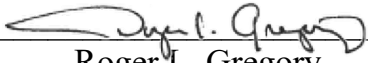


committee's recommendations for necessary and appropriate action by the judicial council." 28 U.S.C. § 353(c).

Upon review of this judicial complaint and the judge's response thereto, I find that the complaint is not subject to dismissal under 28 U.S.C. § 352(b) and that a special committee must be appointed to conduct an investigation and report its findings and recommendations to the judicial council pursuant to 28 U.S.C. § 353.

I recuse myself from further action on this judicial complaint. *See* Rule 25(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings (providing that judge is disqualified from participating in any judicial misconduct proceeding "if the judge concludes that circumstances warrant disqualification"). In light of my disqualification, the duties and responsibilities of the Chief Judge are "assigned to the most-senior active circuit judge not disqualified." Judicial-Conduct Rule 25(f). In accordance with Rule 25(f), Circuit Judge Paul V. Niemeyer shall serve as Chief Judge for purposes of this matter.

IT IS SO ORDERED.



Roger L. Gregory
Chief Judge