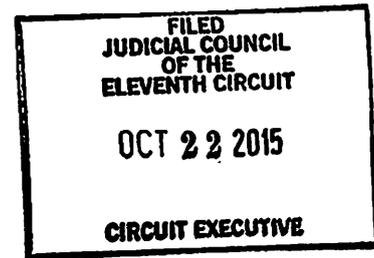


**FOR THE JUDICIAL COUNCIL  
OF THE ELEVENTH CIRCUIT**

111590077



**IN RE: COMPLAINT OF JUDICIAL  
MISCONDUCT OR DISABILITY**

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ON PETITION FOR REVIEW\*

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Before: TJOFLAT, HULL, MARCUS, WILSON, PRYOR, MARTIN, JORDAN, ROSENBAUM, and JULIE CARNES, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, STEELE, RODGERS, WATKINS, and WOOD, Chief District Judges.

Upon consideration of the petitioner's complaint by a review panel consisting of Judges Tjoflat, Wilson, Pryor, Steele, and Rodgers, the order of Chief Judge Ed Carnes filed on 20 August 2015, and of the petition for review filed by the complainant on 25 August 2015, with no non-disqualified judge on the Judicial Council Review Panel having requested that this matter be placed on the agenda of a meeting of the Judicial Council,

The Judicial Council Review Panel hereby determines that the disposition of this matter was proper and said disposition is hereby **AFFIRMED**.

The foregoing actions are **APPROVED**.

FOR THE JUDICIAL COUNCIL:

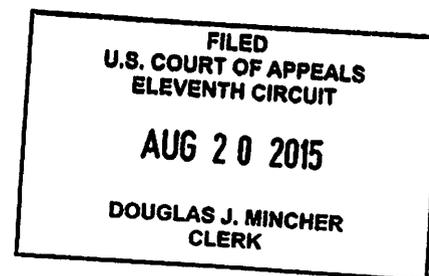
United States Circuit Judge

\* Chief Circuit Judge Ed Carnes did not take part in the review of this petition.

**CONFIDENTIAL**

**BEFORE THE CHIEF JUDGE  
OF THE ELEVENTH JUDICIAL CIRCUIT**

**Judicial Complaint No. 11-15-90077**



**IN THE MATTER OF A COMPLAINT FILED BY \_\_\_\_\_**

**IN RE: The Complaint of \_\_\_\_\_ against \_\_\_\_\_, U.S. District Judge for  
the U.S. District Court for the \_\_\_\_\_ District of \_\_\_\_\_, under the Judicial  
Conduct and Disability Act of 1980, Chapter 16 of Title 28 U.S.C. §§ 351-364.**

**ORDER**

\_\_\_\_\_ (“Complainant”) has filed this Complaint against United States District Judge \_\_\_\_\_ (the “Subject Judge”), pursuant to Chapter 16 of Title 28 U.S.C. § 351(a) and the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (“JCDR”).

**Background**

The record shows that in February 2014 Complainant filed a civil action against multiple defendants, seeking damages for the alleged deprivation of his civil and constitutional rights. He later filed an amended complaint, and in October 2014 he moved for summary judgment. On February 10, 2015, the case was reassigned to the Subject Judge as the presiding district judge. On May 19, 2015, Complainant filed a motion for an expedited ruling on his motion for summary judgment, requesting a ruling or a hearing within 30 days. In July 2015 he filed a motion to transfer venue and a motion to appoint counsel.

**Complaint**

In his Complaint of Judicial Misconduct or Disability, Complainant alleges that the Subject Judge “willfully failed to effectively perform duties” and engaged in misconduct by not ruling on his motion to expedite. Complainant alleges that the Subject Judge acted with improper motives “in delaying a particular decision regarding the damages amount at large . . . .”

**Discussion**

Complainant provides no credible facts or evidence in support of his allegations that the Subject Judge acted with an improper motive in the case.

The Complaint “is based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred or that a disability exists,” JCDR 11(c)(1)(D). For that reason, pursuant to Chapter 16 of Title 28 U.S.C. § 352(b)(1)(A)(iii) and Rule 11(c)(1)(D) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States, this Complaint is **DISMISSED**.



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Chief Judge