

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
MAR 30 2016  
Amy C. Nerenberg  
Acting Clerk of Court

**CONFIDENTIAL**

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

**Judicial Complaint Nos. 11-16-90015 and 11-16-90016**

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

---

IN RE: The Complaint of \_\_\_\_\_ against U.S. Magistrate Judge \_\_\_\_\_  
and U.S. District Judge \_\_\_\_\_ of 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  
Magistrate Judge \_\_\_\_\_ and United States District Judge \_\_\_\_\_ (collectively,  
“the Subject Judges”), 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 2013 Complainant filed in state court a civil rights action  
against various defendants, generally alleging that the defendants violated his  
constitutional rights by denying him certain “storage space.” Certain defendants then  
removed the case to federal court. Complainant filed a second amended complaint in  
June 2014. That same month, Judge \_\_\_\_\_ issued a report recommending that the  
second amended complaint be dismissed for failure to state a claim on which relief could  
be granted and as malicious because Complainant abused the judicial process. Over  
Complainant’s objections, Judge \_\_\_\_\_ adopted the report and recommendation and  
dismissed the second amended complaint. This Court dismissed Complainant’s appeal as  
frivolous.

The record also shows that in December 2015 Complainant filed a lawsuit naming  
the Subject Judges as defendants and generally alleging that they engaged in misconduct.  
In January 2016 a district judge dismissed the case without prejudice as barred by the  
“three-strikes provision” of 28 U.S.C. § 1915(g).

**Complaint**

In his Complaint of Judicial Misconduct or Disability, Complainant cites various cases, and he attached, among other things, a discrimination complaint form in which he appears to allege that the Subject Judges discriminated against him on various grounds.

**Discussion**

Complainant provides no credible facts or evidence in support of his allegations that the Subject Judges discriminated against him or otherwise engaged in misconduct.

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**.



---

Chief Judge