

**CONFIDENTIAL**

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT

MAY 09 2018

David J. Smith  
Clerk

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

**Judicial Complaint No. 11-17-90092**

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

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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.

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**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 July 2014 Complainant filed a prisoner civil rights action  
against multiple defendants, generally alleging that he was in imminent danger of  
physical injury, and he later filed a motion for leave to file an amended complaint. In  
September 2014 a district judge who is not the Subject Judge dismissed the case without  
prejudice under 28 U.S.C. § 1915(g) and because venue was not proper.

Complainant filed a notice of appeal, and this Court later clerically dismissed the  
appeal for want of prosecution. Complainant then filed another notice of appeal, and in  
August 2015 the Subject Judge entered an order reassigning the case to a different district  
judge. This Court later clerically dismissed Complainant’s second appeal for want of  
prosecution.

The record shows that Complainant filed another case in the district court, but the  
Subject Judge was not involved in that case.

**Complaint**

In his Complaint of Judicial Misconduct or Disability, Complainant appears to  
allege that the Subject Judge and others violated his civil rights “by desegregating self-  
discriminating U.S. District Courts of capital cases . . . .” He states that the Subject Judge

and other judges "attacked [him] by physical injuries of harm immin[en]t danger of physical injuries motivated by evil motive when they knew he . . . was in danger . . . ."

Discussion

Complainant provides no credible facts or evidence in support of his claims that the Subject Judge 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**.

A handwritten signature in black ink, appearing to read "E. H. Hanner", is written over a horizontal line.

Chief Judge