

JUN 29 2018

CONFIDENTIAL

David J. Smith  
Clerk

BEFORE THE CHIEF JUDGE  
OF THE ELEVENTH JUDICIAL CIRCUIT

Judicial Complaint Nos. 11-18-90003 and 11-18-90004

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

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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.

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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”).

As an initial matter, after Complainant filed his Complaint, he filed six  
supplemental statements. The filing of the supplemental statements is permitted. See  
11th Cir. JCDR 6.7.

Background

The record shows that the Subject Judges have been involved in multiple cases  
initiated by Complainant. For example, in May 2016 Complainant filed in the United  
States District Court for the \_\_\_\_\_ of \_\_\_\_\_ a 28 U.S.C. § 2254 petition for writ  
of habeas corpus in which he generally alleged that multiple “defendants” violated his  
constitutional rights. Among other things, he alleged that a state court judge employed a  
scheme to kill Complainant and his children to cover up sexual abuse of the children.  
The court then transferred the case to the United States District Court for the \_\_\_\_\_  
District of \_\_\_\_\_.

In October 2016 Complainant filed an amended petition pursuant to 28 U.S.C.  
§ 2241. Judge \_\_\_\_\_ then issued an order in which she noted that a separate petition  
Complainant had filed in another case had been consolidated with the case. Complainant  
then filed, among other things, motions to recuse the Subject Judges, alleging they were  
biased against him, racially biased, and had conspired with corrupt state officials. In  
December 2016 Judge \_\_\_\_\_ entered an order denying, among other things, the

motion to recuse her from the case, stating that she held no bias toward Complainant and knew of no ground warranting recusal.

In January 2017 Judge \_\_\_\_\_ issued a report recommending that Complainant's habeas petition be dismissed, finding that his challenge to his pre-trial custody was moot and, to the extent he raised claims that properly are raised after conviction, he had not exhausted his state remedies. Judge \_\_\_\_\_ also denied various motions Complainant had filed. In March 2017 Judge \_\_\_\_\_ entered an opinion and order in which he adopted Judge \_\_\_\_\_ report and recommendation, dismissed the case without prejudice, and denied the motion to recuse him from the case, stating that Complainant offered only bare allegations of partiality. In December 2017 this Court denied Complainant's motion for a certificate of appealability, holding that he could not show that reasonable jurists would debate the denial of his § 2241 petition.

The record also shows that in February 2017 Complainant filed a petition for writ of habeas corpus in which he named the Subject Judges as respondents, generally alleged that they violated his constitutional rights and committed crimes, and requested that they be banned from adjudicating his cases. The next month, Judge \_\_\_\_\_ entered an order directing the clerk to convert the action to a federal civil rights action and recusing herself from the case. After that, a magistrate judge issued a report recommending that the case be dismissed without prejudice under the "three strikes" provision of 28 U.S.C. § 1915(g).

Over Complainant's objections, in June 2017 Judge \_\_\_\_\_ adopted the report and recommendation and dismissed the case. Judge \_\_\_\_\_ declined to recuse himself from the action because Complainant was a "frequent filer" in the court and "his claims are frivolous and clearly barred." Complainant then filed multiple motions seeking various types of relief, which Judge \_\_\_\_\_ denied. Complainant filed two appeals in the case, both of which this Court clerically dismissed for want of prosecution.

### Complaint

In his Complaint of Judicial Misconduct or Disability, Complainant appears to allege that, from 2002 to 2017, the Subject Judges bribed or were bribed by certain state court judges. He also appears to allege that the Subject Judges or the state court judges "paid to frustrate [Complainant's] litigation, on bribe, RICO, Hobbs Act, obstruction of justice, attempted assassination, illegal imprisonment."

### Supplements

In his first supplemental statement, Complainant alleges that the Subject Judges "were involved in sexual scandals covering child molestations, sexual abuse of various house wives . . . or [k]new about them held [sic] to cover them up." He requests an

investigation into the matter and lists various individuals as "first level of witnesses." In the second supplement, Complainant requests an investigation "because of the nature of the crimes."

In the third supplement, Complainant: (1) provides a "Supplemental Witness List" setting out various names; (2) states that Judge \_\_\_\_\_ "was involving in hiring" individuals to assassinate Complainant "to cover up judicial state officers in child molestations and sexual abuse of women"; (3) lists or describes other "witnesses" who "may know something"; and (4) raises allegations against individuals other than the Subject Judges. He attached documents to the third supplement.

In the fourth supplement, Complainant provides a "Supplemental Witness List" and lists two agents allegedly sent by unnamed federal judges to interrogate Complainant. In the fifth supplement, Complainant provides a "Supplemental Witness List" and takes issue with the actions of individuals other than the Subject Judges. He attached documents to the fifth supplement. In the sixth supplement, Complainant: (1) provides a "Supplemental Witness List"; (2) asserts that a certain individual "knows about complete conspiracy involving" the Subject Judges and others; and (3) asserts that two individuals know about "child molestations, attempted assassinations, sodomizations of house wives."

### Discussion

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



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Chief Judge