

**CONFIDENTIAL**

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

**Judicial Complaint No. 11-19-90116**

**FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT**

**MAY 06 2020**

**David J. Smith  
Clerk**

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

---

IN RE: The Complaint of \_\_\_\_\_ against United States District Judge \_\_\_\_\_ of the United States 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 2007 a federal grand jury issued an indictment charging Complainant and others with multiple crimes, and the Subject Judge was the district judge assigned to the case. Complainant pleaded guilty to one count in the indictment, and in January 2011 the Subject Judge sentenced him to 87 months of imprisonment. The Subject Judge later presided in proceedings related to the revocation of Complainant’s supervised release. The record also shows that the Subject Judge was the presiding district judge and dismissed other civil cases that Complainant filed in 2019 stemming from his criminal proceedings, probation, and conditions of his confinement.


Complaint

In his Complaint of Judicial Misconduct or Disability, Complainant alleges that the Subject Judge is adjudicating cases in which she has personal knowledge of disputed facts in violation of Canon 3 of the Code of Conduct for United States Judges. He contends that the Subject Judge is intentionally participating in his civil cases when she has already issued an opinion in his criminal case concerning the merits of his claims. He states that the Subject Judge participated and heard testimony in his revocation proceedings and “is again adjudicating over [the] same facts in clear violation of the law.” Complainant asserts that he has demonstrated that the Subject Judge is biased.

Discussion

Complainant provides no credible facts or evidence in support of his claims that the Subject Judge violated the Code of Conduct for United States, was biased, 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