FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT

11-21-90017

IN RE: COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

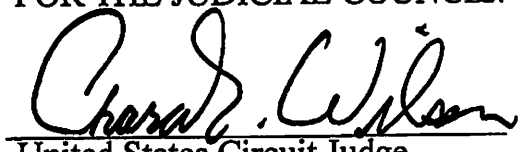
ON PETITION FOR REVIEW

Before: WILSON, MARTIN, and JORDÁN, Circuit Judges; COOGLER and WALKER, Chief District Judges.

Pursuant to 11th Cir. JCDR 18.3, this Judicial Council Review Panel has considered petitioner's complaint filed on 22 February 2021, the order of Chief United States Circuit Judge William H. Pryor Jr. filed on 5 May 2021, and the petition for review filed by petitioner on 17 May 2021. No judge on this panel has requested that this matter be placed on the agenda of a meeting of the Judicial Council.

The Judicial Council Review Panel hereby AFFIRMS the disposition of this matter by Chief Judge Pryor. The petition for review is DENIED.

FOR THE JUDICIAL COUNCIL:



United States Circuit Judge

CONFIDENTIAL

BEFORE THE CHIEF JUDGE
OF THE ELEVENTH JUDICIAL CIRCUIT

Judicial Complaint No. 11-21-90017

IN THE MATTER OF A COMPLAINT FILED BY _____

IN RE: The Complaint of _____ against United States Circuit Judge _____ of the United States Court of Appeals for the _____ Circuit, 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 Circuit 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").

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

Background

The record shows that in March 2020 Complainant filed a lawsuit against an Assistant State Attorney. A district judge then issued an order dismissing the case without prejudice, stating that Complainant was involved in a pending state court case, the court would not interfere with those proceedings, and Complainant could address his concerns directly with the state court. Complainant appealed.

On appeal, Complainant filed a motion to procced *in forma pauperis* and other motions. In September 2020 a panel of this Court that included the Subject Judge determined the appeal was frivolous, denied Complainant leave to proceed, denied his motions as moot, and dismissed the appeal. Complainant filed a motion for reconsideration, which the panel denied.

Complaint

In his Complaint of Judicial Misconduct or Disability, Complainant alleges the Subject Judge and her "co-workers" obstructed justice and dismissed his appeal to hide

that a federal crime had been committed and that the Subject Judge was related to Complainant's "two minor girls" and their uncle who has the same last name as the Subject Judge. Complainant also contends that his constitutional rights were violated on appeal.

Supplement

In his supplemental statement, Complainant states he has been adjudged incompetent to stand trial and appears to request that a guardian ad litem be appointed.[1]

Discussion

Complainant's claims are based on allegations lacking sufficient evidence to raise an inference that the Subject Judge obstructed justice, acted with an improper motive, had a conflict of interest, violated Complainant's constitutional rights, 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**.

/s/ William H. Pryor Jr.
Chief Judge

[1] Complainant's request for the appointment of a guardian ad litem is DENIED.