

DEC 03 2021

David J. Smith
Clerk

CONFIDENTIAL

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

Judicial Complaint Nos. 11-21-90110 and 11-21-90111

IN THE MATTER OF A COMPLAINT FILED BY _____

IN RE: The Complaint of _____ against United States Magistrate Judge _____ and 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 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 two supplemental statements. The filing of the supplemental statements is permitted. *See* 11th Cir. JCDR 6.7.

Background

The record shows that in November 2016 Complainant filed an employment discrimination complaint against a company and a motion to proceed *in forma pauperis* (IFP). In February 2017 Judge _____ entered an order granting in part and denying in part the IFP motion and directing Complainant to file an amended complaint within 21 days. The next month, Judge _____ issued an order dismissing the case without prejudice due to Complainant’s failure to file an amended complaint. Complainant appealed, and this Court later clerically dismissed the appeal for want of prosecution.

The record also shows that in December 2018 Complainant filed an employment discrimination action against multiple defendants and a motion to proceed IFP. In January 2019 Judge _____ entered an order granting the IFP motion and directing Complainant to file an amended complaint. Complainant then filed a response, and Judge _____ entered an order dismissing the case without prejudice, finding Complainant failed to comply with the court’s order and that his filing failed to establish a basis for the court’s jurisdiction or a cognizable federal claim.

Complaint

In his Complaint of Judicial Misconduct or Disability, Complainant cites, among other things, the above-described cases, but he does not raise any discernable allegations against the Subject Judges.

Supplements

Complainant's supplemental statements do not contain any discernable allegations against the Subject Judges.

Discussion

Complainant provides no credible facts or evidence in support of a claim that the Subject Judges engaged in misconduct or suffered from a disability.

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