

FEB 15 2022

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-22-90009

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, 28 U.S.C. §§ 351-364.

ORDER

_____ (“Complainant”) has filed this Complaint against
United States District Judge _____ (“the Subject Judge”), un-
der the Act, 28 U.S.C. § 351(a), and the Rules for Judicial-Conduct
and Judicial-Disability Proceedings of the Judicial Conference of
the United States (“Judicial-Conduct Rules”).

Background

The record shows that in April 2008 Complainant pled guilty to one count of being a felon in possession of a firearm, and in July 2008 a district judge who is not the Subject Judge sentenced him to a term of 112 months of imprisonment to be followed by 3 years of supervised release. After additional proceedings, the case was reasigned to the Subject Judge in July 2017, and subsequently reasigned to a different district judge in September 2018.

In August 2020 Complainant filed a “Motion for Production Order to Resolve Pending Charges” in which he requested relief in connection with a “Probation Revocation.” The next month, he filed a motion seeking to dismiss a “Probation Revocation Hearing.” In October 2020 he filed a motion in which he alleged the court had hindered him from being released from custody. In January 2021 a district judge who is not the Subject Judge entered an order denying Complainant’s motions, noting that he mistakenly referred to supervised release revocation proceedings as “probation revocation,” and generally finding he did not establish he was entitled to the relief sought.

Complaint

Complainant states he seeks to have his “probation” dismissed “because the time has expired,” and he asserts the Subject Judge “refused to answer” his motions seeking dismissal of his probation in violation of federal rules and his constitutional rights.

Discussion

Complainant provides no credible facts or evidence in support of a claim 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,” under Judicial-Conduct Rule 11(c)(1)(D). For that reason, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.

Chief Judge