

MAY 04 2023

David J. Smith  
Clerk

CONFIDENTIAL

Before the Chief Judge of the  
Eleventh Judicial Circuit

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Judicial Complaint No. 11-23-90048

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**ORDER**

An individual has filed a Complaint against a United States bankruptcy judge under the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351–364, and the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States.

**Complaint**

Complainant states that, at a hearing in a bankruptcy case, the Subject Judge acted inappropriately by allowing an attorney to refer to the courtroom gallery as the “peanut gallery” on two occasions. Complainant states that the Subject Judge “somewhat sanctioned” the attorney’s “verbal insults” by chuckling when the attorney made the reference. To his Complaint, he attached a letter he wrote to the Subject Judge in which he stated he was offended by the attorney’s “name calling” and thought it was inappropriate, condescending, and derogatory.

### **Discussion**

The Complaint fails to present a basis for a finding of misconduct. Complainant's claim that the Subject Judge allowed an attorney to refer to the courtroom gallery as the "peanut gallery," or that the Subject Judge chuckled when the attorney did so, is based on allegations lacking sufficient evidence to raise an inference that the Subject Judge treated anyone in a demonstrably egregious and hostile manner or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). For these reasons, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.  
Chief Judge