

SEP 22 2023

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-23-90109

ORDER

An individual has filed a Complaint against a United States district 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.

Background

The record shows that a district judge who is not the Subject Judge presided over Complainant’s criminal trial where a jury found him guilty of three crimes. After the judge sentenced Complainant to a term of imprisonment, he recused himself from the case. After additional proceedings, the Subject Judge became the district judge assigned to the case and to other related cases.

Complaint

Complainant alleges that the Subject Judge knew or should have known that the conviction and sentence imposed in his criminal case were unconstitutional and that the judge who presided over the trial and sentencing hearing appeared to be biased against him. He states the Subject Judge appears to be unwilling or unable to discharge the duties of his office. He also raises allegations against individuals other than the Subject Judge, and he attached documents to his Complaint.

Discussion

The Complaint fails to present a basis for a finding of misconduct. Complainant's claims are based on allegations lacking sufficient evidence to raise an inference that the Subject Judge engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). For that reason, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.
Chief Judge