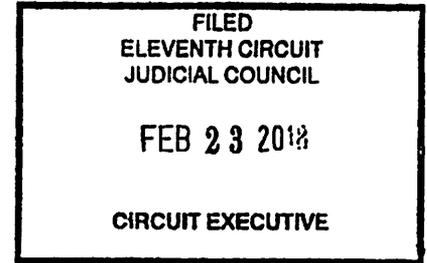


**FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT**

111790033



**IN RE: COMPLAINT OF JUDICIAL
MISCONDUCT OR DISABILITY**

ON PETITION FOR REVIEW*

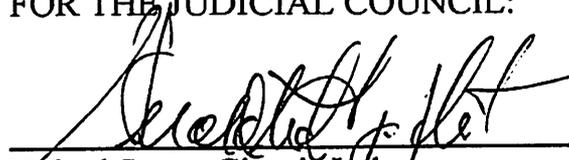
Before: TJOFLAT, MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDAN, ROSENBAUM, JULIE CARNES, and JILL PRYOR, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, RODGERS, WATKINS, DuBOSE, and HALL, Chief District Judges.

Upon consideration of the petitioner's complaint by a review panel consisting of Judges Tjoflat, Wilson, William Pryor, Land, and Rodgers, the order of Chief Judge Ed Carnes filed on 1 November 2017, and of the petition for review filed by the complainant on 13 November 2017, with no non-disqualified judge on the Judicial Council Review Panel having requested that this matter be placed on the agenda of a meeting of the Judicial Council,

The Judicial Council Review Panel hereby determines that the disposition of this matter was proper and said disposition is hereby AFFIRMED.

The foregoing actions are APPROVED.

FOR THE JUDICIAL COUNCIL:


United States Circuit Judge

* Chief Circuit Judge Ed Carnes did not take part in the review of this petition.

FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT

111790034

FILED
ELEVENTH CIRCUIT
JUDICIAL COUNCIL

FEB 23 2013

CIRCUIT EXECUTIVE

IN RE: COMPLAINT OF JUDICIAL
MISCONDUCT OR DISABILITY

ON PETITION FOR REVIEW*

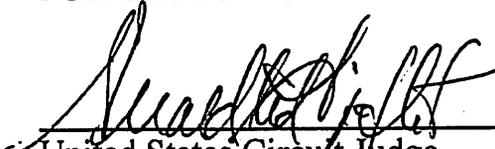
Before: TJOFLAT, MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDAN, ROSENBAUM, JULIE CARNES, and JILL PRYOR, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, RODGERS, WATKINS, DuBOSE, and HALL, Chief District Judges.

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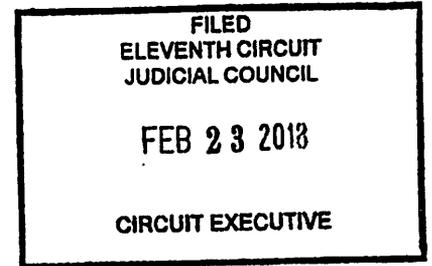
FOR THE JUDICIAL COUNCIL:


United States Circuit Judge

* Chief Circuit Judge Ed Carnes did not take part in the review of this petition.

FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT

111790035



IN RE: COMPLAINT OF JUDICIAL
MISCONDUCT OR DISABILITY

ON PETITION FOR REVIEW*

Before: TJOFLAT, MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDAN, ROSENBAUM, JULIE CARNES, and JILL PRYOR, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, RODGERS, WATKINS, DuBOSE, and HALL, Chief District Judges.

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The foregoing actions are APPROVED.

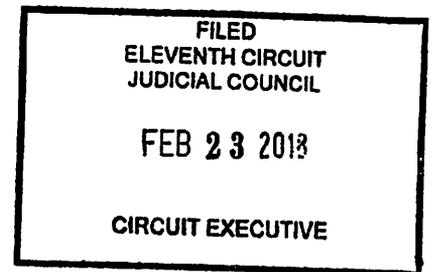
FOR THE JUDICIAL COUNCIL:


United States Circuit Judge

* Chief Circuit Judge Ed Carnes did not take part in the review of this petition.

FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT

111790036



IN RE: COMPLAINT OF JUDICIAL
MISCONDUCT OR DISABILITY

ON PETITION FOR REVIEW*

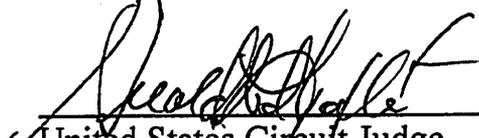
Before: TJOFLAT, MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDAN, ROSENBAUM, JULIE CARNES, and JILL PRYOR, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, RODGERS, WATKINS, DuBOSE, and HALL, Chief District Judges.

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The foregoing actions are APPROVED.

FOR THE JUDICIAL COUNCIL:



United States Circuit Judge

* Chief Circuit Judge Ed Carnes did not take part in the review of this petition.

FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT

111790037

FILED
ELEVENTH CIRCUIT
JUDICIAL COUNCIL

FEB 23 2018

CIRCUIT EXECUTIVE

IN RE: COMPLAINT OF JUDICIAL
MISCONDUCT OR DISABILITY

ON PETITION FOR REVIEW*

Before: TJOFLAT, MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDAN, ROSENBAUM, JULIE CARNES, and JILL PRYOR, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, RODGERS, WATKINS, DuBOSE, and HALL, Chief District Judges.

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The Judicial Council Review Panel hereby determines that the disposition of this matter was proper and said disposition is hereby AFFIRMED.

The foregoing actions are APPROVED.

FOR THE JUDICIAL COUNCIL:



United States Circuit Judge

* Chief Circuit Judge Ed Carnes did not take part in the review of this petition.

FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT

111790038

FILED
ELEVENTH CIRCUIT
JUDICIAL COUNCIL

FEB 23 2018

CIRCUIT EXECUTIVE

IN RE: COMPLAINT OF JUDICIAL
MISCONDUCT OR DISABILITY

ON PETITION FOR REVIEW*

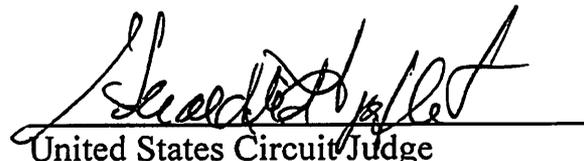
Before: TJOFLAT, MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDAN, ROSENBAUM, JULIE CARNES, and JILL PRYOR, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, RODGERS, WATKINS, DuBOSE, and HALL, Chief District Judges.

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The foregoing actions are APPROVED.

FOR THE JUDICIAL COUNCIL:



United States Circuit Judge

* Chief Circuit Judge Ed Carnes did not take part in the review of this petition.

NOV 01 2017

David J. Smith
Clerk

CONFIDENTIAL

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

Judicial Complaint Nos. 11-17-90033 through 11-17-90038

IN THE MATTER OF A COMPLAINT FILED BY _____

IN RE: The Complaint of _____ against U.S. District Judges _____,
_____, _____, _____, and _____ of the U.S. District Court for the
_____ District of _____, and U.S. District Judge _____ of the U.S.
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 District Judges _____, _____, _____, _____, _____, and _____ (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”). Judge _____ passed away in _____.

Background

The record shows that the Subject Judges have been involved in multiple civil cases initiated by Complainant or in which he appeared as a movant. For example, in February 2016 Complainant filed a “Criminal Complaint” against two defendants alleging, among other things, that he had been falsely imprisoned and labeled incompetent so that the state could deny him his rights. Later that month, Judge _____ entered an order dismissing the complaint without prejudice for failure to state a claim on which relief could be granted. Complainant filed a motion for reconsideration and an “Amended Motion to Complete Denationalization,” and Judge _____ denied those motions.

After that, Complainant filed multiple motions, including a motion to recuse Judge _____, a motion for a grand jury investigation, a motion to compel the U.S. Attorney General to comply with certain statutes, and a motion for a competency hearing. In September 2016 Judge _____ entered an order denying the motions. Complainant appealed, and this Court clerically dismissed the appeal for want of prosecution.

The record also shows that in December 2016 Complainant filed a lawsuit against two defendants in which he alleged in part that: (1) he had been denied a grand jury investigation; (2) a “racketeering enterprise failed to implement [his] constitutionally

mandated solar powered upwelling pipe to keep [him] indigent”; and (3) he had been “wrongly labeled incompetent” to deprive him of his rights. After various proceedings, in June 2017 Judge _____ dismissed the case due to Complainant’s failure to pay the filing fee.

Complaint

In his Complaint of Judicial Misconduct or Disability, Complainant asserts that he is “clearly a victim of a governmental racketeering enterprise.” He states that he has made multiple requests in the _____ District of _____ for a grand jury investigation, but that those requests were denied or ignored, which he contends violated 18 U.S.C. § 3332 and is a felony under state law. He also states that he has been denied an “order for [his] restoration,” which constitutes racketeering. Complainant states, “To fail to order the implementation of my constitutionally mandated solar powered upwelling pipe designed to prevent or weaken hurricanes is causing danger to the judges themselves as well as the public in general. Clearly, they are being malicious at a great detriment to themselves.”

Complainant then contends that the “courts falsely labeled me incompetent and refused to grant a hearing to abrogate the incompetency label so the racketeering enterprise can” imprison him and control him financially. He states that labeling and treating him as incompetent without assigning him a guardian prevented him from taking certain actions. He also states that his Fifth Amendment rights have been violated since 1990 “by the government financially sabotaging my academic pursuits.” Finally, Complainant states that he has been denied his right to a defense, jury trial, hearings, and representation, and deprived of his property, which has had a “denationalizing effect.”

Discussion

Judge _____

Rule 11(e) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States provides, “The chief judge may conclude a complaint proceeding in whole or in part upon determining that intervening events render some or all of the allegations moot or make remedial action impossible.” With respect to this rule, the “Commentary on Rule 11” states in part, “Rule 11(e) implements Section 352(b)(2) of the Act, which permits the chief judge to ‘conclude the proceeding’ if ‘action on the complaint is no longer necessary because of intervening events,’ such as a resignation from judicial office.”

To the extent the Complaint concerns Judge _____, in light of Judge _____ death, “intervening events render some or all of the allegations moot or make remedial action impossible,” JCDR 11(e). For this reason, pursuant to Chapter 16 of Title 28 U.S.C. § 352(b)(2) and Rule 11(e) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States, this

Complaint proceeding is **CONCLUDED** to the extent it concerns Judge _____. The conclusion of this proceeding in no way implies that there is any merit to Complainant's allegations against Judge _____.

The Remaining Subject Judges

Rule 3(h)(3)(A) provides that cognizable misconduct does not include “an allegation that is directly related to the merits of a decision or procedural ruling.” The Rule provides that “[a]n allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse, without more, is merits-related.” *Id.* The “Commentary on Rule 3” states in part:

Rule 3(h)(3)(A) tracks the Act, 28 U.S.C. § 352(b)(1)(A)(ii), in excluding from the definition of misconduct allegations “[d]irectly related to the merits of a decision or procedural ruling.” This exclusion preserves the independence of judges in the exercise of judicial power by ensuring that the complaint procedure is not used to collaterally attack the substance of a judge’s ruling. Any allegation that calls into question the correctness of an official action of a judge—without more—is merits-related.

To the extent Complainant’s allegations concern the substance of Judges _____, _____, _____, _____, and _____ official actions, findings, and orders entered in Complainant’s cases, the allegations are directly related to the merits of those judges’ decisions or procedural rulings. Apart from the decisions or procedural rulings with which Complainant takes issue, he provides no credible facts or evidence in support of his claims that Judges _____, _____, _____, _____, and _____ engaged in misconduct.

With respect to Judges _____, _____, _____, _____, and _____, the allegations of this Complaint are “directly related to the merits of a decision or procedural ruling,” and the Complaint “is based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred or that a disability exists.” For those reasons, pursuant to Chapter 16 of Title 28 U.S.C. § 352(b)(1)(A)(ii) and (iii), and Rule 11(c)(1)(B) and (D) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States, this Complaint is **DISMISSED** to the extent it concerns Judges _____, _____, _____, _____, and _____.



Chief Judge