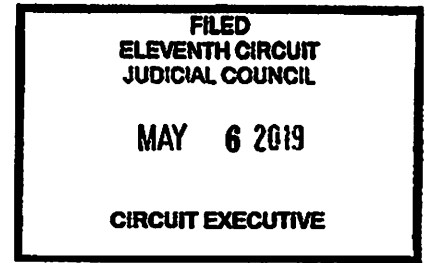


**FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT**

11-18-90144



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

ON PETITION FOR REVIEW*


Before: MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDÁN, ROSENBAUM, JILL PRYOR, and NEWSOM, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, DuBOSE, HALL, WALKER, and MARKS,** Chief District Judges.

Upon consideration of the petitioner's complaint by a review panel consisting of Judges Wilson, William Pryor, Rosenbaum, Thrash and Walker, the order of Acting Chief Judge Stanley Marcus, filed on 22 January 2019, and of the petition for review filed by the complainant on 27 February 2019, 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, Circuit Judge Gerald Bard Tjoflat, and Chief District Judge Clay D. Land did not take part in the review of this petition.
- ** Judge Emily Marks is Acting Chief Judge.

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

JAN 22 2019

David J. Smith
Clerk

CONFIDENTIAL

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

Judicial Complaint No. 11-18-90144

IN THE MATTER OF A COMPLAINT FILED BY _____

IN RE: The Complaint of _____ against _____, U.S. Circuit Judge for the U.S. Court of Appeals for the _____ Circuit, 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 Circuit Judge _____ (the “Subject Judge”), 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”).

Background

The record shows that in May 2018 Complainant filed an employment discrimination action against a company in the United States District Court for the _____ District of _____, and the next month, the case was transferred to the United States District Court for the _____ District of _____ and assigned a new docket number. In August 2018 the district judge issued a notice concerning, among other things, the requirements that the parties file a proposed discovery plan.

After that, the defendant filed a motion to dismiss the complaint and a motion to stay the filing of the discovery plan pending a ruling on the motion to dismiss. In September 2018 the district judge granted the motion to stay the filing of the discovery plan. The next month, the district judge entered an order granting the defendant’s motion to dismiss, finding Complainant failed to allege sufficient facts in support of her claims.

Complaint

In her Complaint of Judicial Misconduct or Disability, Complainant generally takes issue with the proceedings in the case she filed in the district court, contending, among other things, that papers in the case have the “wrong Docket number,” the case was inappropriately treated as a criminal case, the case was “in appeal,” and a certain law firm was prohibited from practicing in the case.

Discussion

Although Complainant names the Subject Judge as the subject of her Complaint, she raises no allegations against the Subject Judge.

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/ Stanley Marcus

Acting Chief Judge