

CONFIDENTIAL

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

Judicial Complaint No. 11-19-90115

**FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT**

MAY 06 2020

**David J. Smith
Clerk**

IN THE MATTER OF A COMPLAINT FILED BY _____

IN RE: The Complaint of _____ against United States Magistrate Judge _____ of the United States 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 Magistrate 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 2007 a federal grand jury issued an indictment charging Complainant and others with multiple crimes, and the Subject Judge issued orders and reports in the criminal case. Complainant later pleaded guilty to one count in the indictment, and in January 2011 he was sentenced to 87 months of imprisonment. The record also shows that the Subject Judge issued orders and reports in other civil cases that Complainant filed in 2019 stemming from his criminal proceedings, probation, and conditions of his confinement.


Complaint

In his Complaint of Judicial Misconduct or Disability, Complainant alleges that the Subject Judge is knowingly participating in cases in which he has personal knowledge and “has served as a magistrate [judge] in proceedings concerning the same facts.” He asserts that the Subject Judge violated provisions of Canon 3 of the Code of Conduct for United States Judges and “has shown judicial bias.”

Discussion

Complainant provides no credible facts or evidence in support of his claims that the Subject Judge violated the Code of Conduct for United States, was biased, or otherwise 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,” 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**.



Chief Judge