

AUG 20 2020

David J. Smith
Clerk

CONFIDENTIAL

BEFORE THE CHIEF JUDGE
OF THE ELEVENTH JUDICIAL CIRCUIT

Judicial Complaint No. 11-20-90046

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”).

As an initial matter, after Complainant filed her Complaint, she filed two
supplemental statements. The filing of the supplemental statements is permitted. See
11th Cir. JCDR 6.7.

Background

The record shows that in May 2020 Complainant filed a lawsuit against one
defendant and a motion for leave to proceed in forma pauperis (IFP). The next day, the
Subject Judge issued an order granting the IFP motion and directing the clerk to submit
the file to the district judge for a frivolity determination under 28 U.S.C. § 1915(e)(2).

Complaint

In her Complaint of Judicial Misconduct or Disability, Complainant requests a
change of venue, alleging the Subject Judge has a conflict of interest because a petition
she filed against him is being investigated. She also takes issue with the actions of a
clerk’s office employee, alleging those actions violated her civil rights and liberties. To
her Complaint, she attached the Subject Judge’s order granting her IFP motion.

Supplements

In her first supplemental statement, Complainant states she is submitting a “statement for a demand for rent as evidence” in her case, and she raises allegations against an individual other than the Subject Judge. In her second supplement, Complainant states she is submitting a “Dispossessory Warrant as evidence” in her case, and she raises allegations against individuals other than the Subject Judge.

Discussion

Complainant provides no credible facts or evidence in support of her claim that the Subject Judge had a conflict of interest.

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/ William H. Pryor Jr.

Chief Judge