

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

DEC 02 2020

David J. Smith
Clerk

CONFIDENTIAL

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

Judicial Complaint No. 11-20-90090

IN THE MATTER OF A COMPLAINT FILED BY _____

IN RE: The Complaint of _____ against United States Circuit Judge
_____ of the United States 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 April 2018 Complainant filed a “Maritime Tort in Admiralty Complaint” and a motion for leave to proceed in forma pauperis (IFP). The next month, a magistrate judge issued a report recommending that Complainant’s IFP motion be denied and the complaint be dismissed without prejudice for, among other things, failure to meet the pleading standards set out in the Federal Rules of Civil Procedure.

A district judge then entered an order adopting the report and recommendation, denied the IFP motion, and dismissed the complaint without prejudice. Complainant then filed a motion to amend the pleadings, and the district judge construed the motion as an amended complaint and dismissed it as frivolous and for failure to state a claim. Complainant appealed. In November 2018 a panel of this Court that included the Subject Judge entered an order dismissing the appeal as frivolous.

Complaint

In his Complaint of Judicial Misconduct or Disability, Complainant alleges the Subject Judge: (1) “[u]nconstitutionally suspended and abdicated” the United States Constitution; (2) “imposed a judicial tax on [Complainant] without his consent”; (3)

turned 28 U.S.C. § 1915(g) into an unconstitutional “bill of attainder”; (4) engaged in conduct constituting treason; (5) “u[]surped, aborted, suspended, annihi[]lated, and subverted the law of the sea”; (6) suffered from a mental disability; (7) treated litigants in a demonstrably egregious and hostile manner; (8) engaged in discrimination and retaliation; (9) accepted bribes; (10) committed “rape” of Complainant and the United States Constitution; (11) “deal[t] in counterfeit judicial currency.”

Discussion

Complainant provides no credible facts or evidence in support of his claims that the Subject Judge 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**.

/s/ Robin S. Rosenbaum

Acting Chief Judge