

CONFIDENTIAL

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

Judicial Complaint Nos. 11-20-90097 and 11-20-90098

IN THE MATTER OF A COMPLAINT FILED BY _____

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

DEC 02 2020

David J. Smith
Clerk

IN RE: The Complaint of _____ against United States Circuit Judge _____ of the United States Court of Appeals for the _____ Circuit and United States District 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 Circuit Judge _____ and United States District Judge _____ (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”).

Background

The record shows that in May 2020 Complainant filed a “Motion for Clarification,” and the next month, he filed a motion for leave to proceed in forma pauperis (IFP). A magistrate judge then issued a report recommending that the case be dismissed and the IFP motion be denied as moot, finding Complainant was barred from proceeding by the three-strikes provision in 28 U.S.C. § 1915(g). Over Complainant’s objections, in July 2020 Judge _____ issued an order adopting the report and recommendation as the court’s opinion.

Complaint

In his Complaint of Judicial Misconduct or Disability, Complainant alleges the Subject Judges: (1) accepted bribes and gifts; (2) retaliated against, discriminated against, and racially profiled Complainant; (3) committed treason; (4) committed acts of “constitutional genocide” and acted in contempt of the United States Constitution; (5) were mentally incompetent; and (6) treated litigants in a demonstrably egregious and hostile manner.

Discussion

Complainant provides no credible facts or evidence in support of his claims that the Subject Judges engaged in misconduct or were incompetent.

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