

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

**11-21-90066**

FILED  
ELEVENTH CIRCUIT  
JUDICIAL COUNCIL

NOV 16 2021

CIRCUIT EXECUTIVE

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

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ON PETITION FOR REVIEW

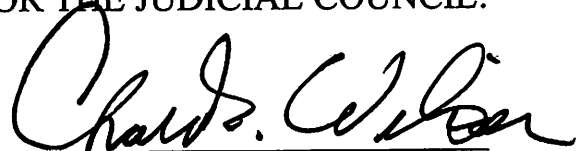
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Before: WILSON, ROSENBAUM, and BRANCH, Circuit Judges;  
COOGLER and WALKER, Chief District Judges.

Pursuant to 11th Cir. JCDR 18.3, this Judicial Council Review Panel has considered petitioners' complaint filed on July 6, 2021, the order of Chief United States Circuit Judge William H. Pryor Jr. filed on August 24, 2021, and the petition for review filed by petitioners on September 24, 2021. No judge on this panel has requested that this matter be placed on the agenda of a meeting of the Judicial Council.

The Judicial Council Review Panel hereby AFFIRMS the disposition of this matter by Chief Judge Pryor. The petition for review is DENIED.

FOR THE JUDICIAL COUNCIL:



United States Circuit Judge

CONFIDENTIAL

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT

AUG 24 2021

David J. Smith  
Clerk

BEFORE THE CHIEF JUDGE  
OF THE ELEVENTH JUDICIAL CIRCUIT

Judicial Complaint No. 11-21-90066

IN THE MATTER OF A COMPLAINT FILED BY  
\_\_\_\_\_ AND \_\_\_\_\_

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IN RE: The Complaint of \_\_\_\_\_ and \_\_\_\_\_ against 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.

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ORDER

\_\_\_\_\_ and \_\_\_\_\_ (collectively “Complainants”) have filed this  
Complaint against United States District 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 September 2019 Complainants filed an amended *pro se*  
civil rights action against multiple defendants raising claims stemming from certain state  
court proceedings, and the defendants filed motions to dismiss the amended complaint.  
In January 2020 a magistrate judge issued a report recommending that the motions to  
dismiss be granted and the amended complaint be dismissed without leave to amend.  
Over Complainants’ objections, in February 2020 the Subject Judge entered an order  
adopting the report and recommendation and directing the clerk to close the case.

After various proceedings, in April 2020 the Subject Judge issued an order  
directing Complainants to show cause as to why they should not be sanctioned for  
frivolous filings and harassment of court personnel, and Complainants later filed a  
response. The Subject Judge then issued an order that, among other things: (1) prohibited  
Complainants from filing anything in the division of the district court without it first  
being reviewed by a magistrate judge; (2) setting the order to show cause for a hearing;  
and (3) stating that a failure to appear at the hearing could result in the imposition of  
sanctions.

In late April 2021 the magistrate judge issued an order denying three motions  
Complainants had filed, and the next month, Complainants filed a motion to attend the  
show cause hearing remotely. Complainants also filed an “Appeal/Objection” to three  
orders issued by the magistrate judge, which was docketed as Document \_\_\_\_\_, and

the docket entry states that the entry was later modified. The Subject Judge denied the motion to attend the hearing remotely, and after additional proceedings, the show cause hearing was held in July 2021.

### Previous Complaint of Judicial Misconduct or Disability

In April 2021 Complainants filed a Complaint of Judicial Misconduct or Disability against a federal judge (No. \_\_\_\_\_), and in May 2021 they filed two Complaints of Judicial Misconduct or Disability against the Subject Judge (Nos. \_\_\_\_\_ and \_\_\_\_\_).

### Current Complaint

In the current Complaint of Judicial Misconduct or Disability, Complainants allege the Subject Judge retaliated against them by manipulating docket entries so that two different filings were filed as Document \_\_\_\_\_. They attached exhibits showing that their "Appeal/Objection" to three orders was Document \_\_\_\_\_, and that a different "Appeal/Objection" to another order was also Document \_\_\_\_\_. They state the alteration was done with an improper motive "to hamper the truthful records on appeal for an appellate review which could not be repaired on appeal."

Complainants state the action "seems to be in retaliation against" them for filing the previous judicial complaints, and they generally discuss their previous allegations against the Subject Judge. They also state that a motion for a remote hearing they filed was not entered on the docket. They attached documents to their Complaint.

### Discussion

Complainants' claims are based on allegations lacking sufficient evidence to raise an inference that the Subject Judge manipulated docket entries with an improper motive, retaliated against them for filing a judicial complaint, 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**.

\_\_\_\_\_  
/s/ William H. Pryor Jr.

Chief Judge