

JUN 26 2023

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-23-90073 and 11-23-90074

ORDER

An individual has filed a Complaint against two United States district judges under the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351–364, and the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States.

Background

The record shows that over a 7-year period Complainant has been the plaintiff in 17 cases in the Subject Judges' district, 6 of which were assigned to the first Subject Judge and 11 of which were assigned to the second Subject Judge. In two of those cases, pleadings Complainant filed were submitted to the first Subject Judge for a ruling, but no ruling has yet issued.

Complaint

Complainant alleges that the assignment of all of his cases to the Subject Judges makes it “obvious that there’s some serious foul play going on” and that the court is deliberately assigning cases to certain judges in violation of the right to a fair and unbiased judge. Complainant also contends that two pending cases “are not being worked on by” the first Subject Judge. He asserts that “agents and others” in the district conspired with another district “to send an innocent man to prison,” which “is the reason why these two judges are trying their best to keep this case from being exposed.” He also alleges various documents were fraudulent, he appears to allege he was discriminated against because of his race, and he takes issue with the actions of individuals other than the Subject Judges.

Discussion

The Complaint fails to present a basis for a finding of misconduct. Complainant’s claims are based on allegations lacking sufficient evidence to raise an inference that the Subject Judges caused cases to be improperly assigned, acted with an illicit or improper motive, were part of a conspiracy, discriminated against Complainant due to his race, or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). *See Dietz v. Bouldin*, 579 U.S. 40, 45 (2016) (“[T]his Court has long recognized that a district court possesses inherent powers that are governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” (quotation omitted)); *United States v. Stone*, 411 F.2d 597, 598-99

(5th Cir. 1969) (“District judges may by rule, order or consent transfer cases between themselves. Each judge of a multi-district court has the same power and authority as each other judge. Moreover, District Judges have the inherent power to transfer cases from one to another for the expeditious administration of justice.” (citations omitted)). For that reason, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.
Chief Judge