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David J. Smith  
Clerk

CONFIDENTIAL

Before the Chief Judge of the  
Eleventh Judicial Circuit

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Judicial Complaint No. 11-23-90136

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**ORDER**

An individual has filed a Complaint against a United States district judge 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 Complainant filed a civil complaint against state courts and a law firm, raising allegations in connection with certain state-court proceedings. The Subject Judge entered an order dismissing the case for lack of subject-matter jurisdiction. Complainant filed a motion to alter the order, which the Subject Judge denied.

## **Complaint**

Complainant discusses certain “sham” proceedings that allegedly occurred in state court and contends a certain law firm worked in concert with a state appellate to court to electronically alter filings. He states that the “private law firm executives have and were former executives for” a certain “powerful” county bar association, that the bar association appears to have access to “internal operating equipment” in two courthouses, and that the Subject Judge was a member of the bar association and was “featured numerous times” in its publication. Complainant states the Subject Judge may be concealing that the bar association possesses certain ransomware being used to tamper with state-court proceedings. He states the Subject Judge angrily and deliberated disregarded evidence concerning the tampering and focused on irrelevant matters to protect the bar association. He states that, in his opinion, the Subject Judge “advocated for the state court and” bar association “in a show of his allegiance” to the bar association.

## **Discussion**

Judicial-Conduct Rule 4(b)(1) provides in part that “[c]ognizable misconduct does not include an allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.” The Commentary on Rule 4 explains the rationale for this rule as follows:

Rule 4(b)(1) tracks the Act, 28 U.S.C. § 352(b)(1)(A)(ii), in excluding from the definition of misconduct allegations “[d]irectly related to the merits of a decision

or procedural ruling.” This exclusion preserves the independence of judges in the exercise of judicial authority by ensuring that the complaint procedure is not used to collaterally call into question the substance of a judge’s decision or procedural ruling. Any allegation that calls into question the correctness of an official decision or procedural ruling of a judge — without more — is merits-related.

The Complaint fails to present a basis for a finding of misconduct. To the extent Complainant’s allegations concern the substance of the Subject Judge’s official actions, findings, and orders in the above-described case, the allegations are directly related to the merits of the Subject Judge’s decisions or procedural rulings. Judicial-Conduct Rule 11(c)(1)(B). Complainant’s remaining claims are based on allegations lacking sufficient evidence to raise an inference that the Subject Judge acted with an illicit or improper motive, had a conflict of interest, concealed illegal activity, used his office to obtain special treatment for others, treated Complainant in a demonstrably egregious and hostile manner, or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). For these reasons, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.  
Chief Judge