

FILED
ELEVENTH CIRCUIT
JUDICIAL COUNCIL

AUG 12 2024

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-24-90074

ORDER

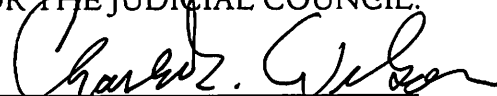
Before: WILSON, ROSENBAUM, and BRANCH, Circuit Judges; WALKER and BEAVERSTOCK, Chief District Judges.

Pursuant to 11th Cir. JCDR 18.3, this Judicial Council Review Panel has considered the materials described in JCDR 18(c)(2), including petitioner's complaint, the order of Chief United States Circuit Judge William H. Pryor Jr., and the petition for review filed by petitioner. 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.

Done this 12th day of August, 2024.

FOR THE JUDICIAL COUNCIL:


United States Circuit Judge

MAY 29 2024

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-24-90074

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 the Subject Judge was assigned to a criminal case in which a former political office holder is one of the defendants. The Subject Judge has issued various orders in the case, and the case remains pending.

Complaint

Complainant alleges that, in the above-described case, the Subject Judge violated a canon of the Code of Conduct for United States that requires a judge to disqualify herself in a proceeding in

which the judge's impartiality might reasonably be questioned. Complainant states there are a "large number of people" questioning the Subject Judge's impartiality, and he cites and attaches multiple articles that take issue with the Subject Judge's handling of the case. Finally, he contends that the Subject Judge was not impartial because the defendant appointed the Subject Judge as a United States district judge.

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 Judge was not impartial or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). *See Straw v. United States*, 4 F.4th 1358, 1363 (Fed. Cir. 2021) ("There is no support whatsoever for the contention that a judge can be disqualified based simply on the identity of the President who appointed him."). Although this complaint process is not the appropriate way to seek review of the Subject Judge's orders, those orders are nevertheless subject to appellate review in the normal course.

For these reasons, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.
Chief Judge