

APR 9 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-24-90272 and 11-24-90273

ORDER

Before: ROSENBAUM, NEWSOM, 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 3rd day of April, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

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David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

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ORDER

An individual has filed a Complaint against a United States district judge and a United States magistrate 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.

As an initial matter, after Complainant filed her Complaint, she filed a supplemental statement. The filing of the supplemental statements is permitted. *See* 11th Cir. JCDR 6.7.

Background

The record establishes that Complainant was charged by information on one count of conspiracy to commit wire fraud. In another matter, a grand jury returned a superseding indictment charging Complainant and others with various crimes, and one count charged Complainant with forging the signature of a federal

judge. The Subject Judges were assigned to the second case, and the Subject District Judge entered an order referring the first case to the Subject Magistrate Judge for all pretrial matters in the interest of judicial economy.

Complainant filed a motion for bond in both cases, and after a hearing, the Subject Magistrate Judge denied the motions. Complainant's counsel moved to withdraw in both cases, and the Subject Magistrate Judge granted the motions. Afterward, Complainant filed in both cases multiple *pro se* motions seeking various types of relief, including an emergency motion for release from custody in which she argued she was being held in violation of the Speedy Trial Act and a motion to recuse the Subject District Judge in which she argued he should recuse because she was charged with forging his signature. The Subject District Judge entered an order denying the motions to recuse. The Subject Magistrate Judge later issued a non-final report recommending that Complainant's emergency motions for release be denied, and Complainant filed objections. The cases remain pending.

Complaint

Complainant alleges the Subject Judges lack impartiality, "disregarded the mandate of neutrality in carrying out judicial duties," had improper motives that "caused extensive prejudicial delay," and violated rules, standards, and a criminal statute. Complainant states the government conceded she was being held in violation of the Speedy Trial Act, and she states she was "intentionally being deprived of life, liberty and property illegally."

Complainant alleges the Subject Magistrate Judge “backdated an extension to exclude” certain dates “when no continuances were filed in that case during that time period,” acted with an improper motive to deprive Complainant of her Sixth Amendment right to a speedy trial, “is intentionally taking one motion at a time under advisement to deprive the Complainant of the right to a speedy trial,” and “has also made statements on the record such as this is what you get when you chose to represent yourself.”

Complainant contends that delay has caused her to be illegally detained, and that the court has failed to promote fairness and to protect her constitutional rights. Complainant states the Subject District Judge should have recused from the cases because it was his signature that she allegedly forged and that, “due to the prejudicial bias from the allegation of forging [the Subject District Judge’s] signature she is being denied fairness and promptness in the court.” Complainant states the Subject District Judge denied her motion to recuse and other relief without receiving Complainant’s “rebuttal” and that other documents she sent were not filed in the case. She attached documents to her Complaint.

Supplement

In her supplement, Complainant raises additional allegations of delay. She alleges the Subject Judges showed “clear deep-seated favoritism towards the government,” “continually overlooked ... grave constitutional violations,” acted with an improper motive to deprive her of her due process and other constitutional

rights, and withheld documents to prejudice her case. She attached documents to her supplement.

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.

Furthermore, Judicial-Conduct Rule 4(b)(2) provides that cognizable misconduct does not include “an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases.” The “Commentary on Rule 4” states that “a complaint of delay in a single case is excluded as 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 Judges' official actions, findings, rulings, report, and orders in the above-described cases, the allegations are directly related to the merits of the Subject Judges' 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 Judges acted with an illicit or improper motive, were biased or otherwise not impartial, backdated or withheld documents, committed a crime, 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