

APR 18 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the  
Eleventh Judicial Circuit

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Judicial Complaint No. 11-25-90005

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**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 18th day of April, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

JAN 23 2025

David J. Smith  
Clerk

CONFIDENTIAL

Before the Chief Judge of the  
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Judicial Complaint No. 11-25-90005

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**ORDER**

An individual has filed a Complaint against 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 his Complaint, he filed a supplement. The filing of the supplement is permitted. *See* 11th Cir. JCDR 6.7.

**Background**

The record establishes that Complainant filed a copyright-infringement action against multiple defendants and a motion to proceed *in forma pauperis*. The Subject Judge entered an order stating that Complainant's motion included a copy of his driver's license, which provided his Social Security number, and striking the motion. Complainant then paid the fee.

After various proceedings, Complainant filed another motion to proceed *in forma pauperis*, which the Subject Judge denied without prejudice. Complainant filed a motion for reconsideration, arguing in part that the Subject Judge committed clear error by finding that the copy of his driver's license submitted with his initial *in forma pauperis* motion included his Social Security number. The Subject Judge denied the motion for reconsideration.

### **Complaint**

Complainant alleges the Subject Judge violated the Code of Conduct for United States Judges by falsely stating that his Social Security number was on his driver's license that was attached to his *in forma pauperis* motion. He contends that a statutory provision prohibits printing Social Security numbers on the state's drivers' licenses. He also takes issue with the Subject Judge's denial of his motion for reconsideration, and alleges his motions "were prejudiced by the lie and false evidence provided by" the Subject Judge. He attached documents to his Complaint.

### **Supplement**

In his supplement, Complainant reiterates his allegations. He attached documents to his 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.

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, rulings, 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 violated the Code of Conduct for United States Judges, acted with an illicit or improper motive, 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