

MAR 05 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90031

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 establishes that Complainant filed an amended complaint alleging eight counts against four defendants related to a traffic stop. Three defendants filed a motion to dismiss seven counts, and all the defendants filed a motion for summary judgment. The Subject Judge entered an order granting the motion to dismiss as to two counts and denying the motion as to five counts. The Subject Judge also entered an order granting the defendants' motion for summary judgment as to two counts and denying the motion as to the remaining six counts. The defendants filed an

interlocutory appeal, and this Court affirmed the denial in part of the defendants' motion for summary judgment. The case proceeded to trial before the Subject Judge, and a jury found in favor of the defendants. The Subject Judge then entered a final judgment in the defendants' favor and closed the case.

Complaint

Complainant states that, during trial in the above-described case, he "was subjected to a series of escalating intimidation tactics, false narratives, and judicial bias that were allowed to persist under [the Subject Judge's] supervision." He alleges the Subject Judge "failed to uphold judicial fairness, permitted racial bias to be introduced, and ultimately took punitive action against me ... while ignoring misconduct by opposing counsel." Complainant asserts that three defendants engaged in "repeated acts of harassment and intimidation against me, both in and outside the courtroom," and he alleges that the Subject Judge was informed about the incidents but failed to acknowledge them, failed to intervene, and allowed the behavior to "escalate unchecked."

Complainant states that, during a break, he had a private conversation with his attorney "where I lightheartedly commented on opposing counsel's resemblance to a fictional character from a movie," and that two attorneys "deliberately overheard this private discussion and used it to construct a false and racially charged narrative against me." He contends that one of the attorneys falsely claimed that he exhibited inappropriate behavior, and the Subject

Judge accepted the assertion without inquiring whether it was accurate and showed “an immediate bias” against him.

Next, Complainant alleges the Subject Judge failed to act when an attorney, in open court, stated with a hostile tone, “I wouldn’t want anyone to kill him or his family,” and that the “failure to act in response to this serious and dangerous remark was a gross violation of judicial responsibility,” enabled the courtroom to be used to make threats, failed to maintain order and professionalism, and allowed opposing counsel to use “unchecked intimidation tactics.” Complainant states that, instead of addressing the threat, the Subject Judge unfairly reprimanded him, threatened to dismiss his case, demonstrated “clear judicial bias” against him, created an “intimidating and prejudicial courtroom environment,” and compromised his right to a fair trial.

Complainant states that an attorney “deliberately manipulated the private conversation I had with my attorney to introduce a racially inflammatory and false narrative against me,” and he states, “By allowing racially charged and misleading narratives to be introduced into the proceedings, [the Subject Judge] permitted implicit racial bias to influence the trial process” and created a “racially hostile courtroom environment.” Complainant states that the attorney used the term “‘Negro’” in the courtroom “where [the Subject Judge] and courtroom staff were Black.” He alleges the Subject Judge’s actions and failure to act violated the United States Constitution, the Code of Conduct for United States Judges, and federal and state law.

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, rulings, 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, was biased or otherwise impartial, treated Complainant in a demonstrably egregious or hostile manner,

intentionally discriminated against him on the basis of race, violated the Code of Conduct for United States Judges, 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