

JUL 30 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90066 and 11-25-90067

ORDER

Before: ROSENBAUM, NEWSOM, and BRANCH, Circuit Judges; BEAVERSTOCK and WINSOR, 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 30th day of July, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

APR 29 2025

David J. Smith
Clerk

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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.

Background

The record establishes that Complainant, individually and as next friend or guardian for her disabled son, filed a civil complaint against multiple defendants. The defendants filed motions to dismiss. Complainant filed an emergency motion for a temporary restraining order and preliminary injunction on the ground that the denial of medical care had placed her son at risk of immediate death. The Subject District Judge denied the motion.

Complainant then filed multiple motions, including another motion for injunctive relief. The defendants moved to stay discovery pending a ruling on their motions to dismiss, and the Subject Magistrate Judge granted the stay. Complainant then filed additional motions for various types of relief, including motions to recuse the Subject Judges. The case remains pending.

Complainant also filed another civil complaint against multiple defendants, and the Subject Magistrate Judge was assigned to the case. That case also remains pending.

Complaint

Complainant alleges the Subject Judges were prejudiced against her as a *pro se* litigant and against her “severely disabled son,” denied them meaningful access to justice, violated the Americans with Disabilities Act, effectively imprisoned her and her son in their home, apparently accepted falsified documents from the defendants, ruled quickly on the defendants’ motion while failing to rule on her motions, and caused her and her son “severe, ongoing harm.” She states, “I believe these actions are part of a systematic effort to force the institutionalization of my son rather than providing the home-based care he is legally entitled to under federal law.” She also states she “believe[s] this pattern of prejudice may be influenced by systemic factors, as both cases involve challenges to ... state institutions and mechanisms, creating potential conflicts for judges”

Complainant alleges the Subject District Judge failed to rule on multiple motions, exhibited deliberate indifference to her son’s

life-threatening circumstances, gave preferential treatment to the defendants by failing to rule on her motions, and imposed procedural barriers that barred her from obtaining access to justice. She alleges the Subject Magistrate Judge treated her with “noticeably less respect than the attorneys present” at a case-management conference, required her to personally speak with each defendant for every motion when a local rule did not require verbal conferrals, refused to accommodate her disability-related needs by requiring in-person hearings, refused to extend deadlines despite extraordinary circumstances, and gave priority to procedural matters over life-threatening emergencies. Complainant states the Subject Magistrate Judge’s assignment to her second case “suggests a systematic disadvantage being imposed on me as a disabled individual’s advocate.” She attached documents to her Complaint.

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, 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 prejudiced or otherwise not impartial, treated Complainant in a demonstrably egregious and hostile manner, had a conflict of interest, 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