

JUL 30 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the  
Eleventh Judicial Circuit

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Judicial Complaint No. 11-25-90068

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**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

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David J. Smith  
Clerk

CONFIDENTIAL

Before the Chief Judge of the  
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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.

**Background**

The record establishes that Complainant filed a civil complaint against multiple defendants, an amended complaint, and multiple motions seeking various types of relief, including a motion to recuse the Subject Judge and the presiding district judge. An attorney filed a motion to appear *pro hac vice* in the case, which the Subject Judge granted. After additional proceedings, the Subject Judge issued a report recommending that the case be dismissed for lack of subject-matter jurisdiction and that all pending motions be

denied as moot. Over Complainant's objections, the district judge adopted the report and recommendation.

### **Complaint**

Complainant alleges the Subject Judge acted without her consent, failed to forward all documents to the district judge, extended the opposing party's deadlines after they had expired, improperly failed to award her a default judgment, and treated her with bias and prejudice. She states the Subject Judge orally denied a motion to recuse, but the record continues to show that the motion remains pending. Complainant alleges the Subject Judge permitted his clerk to have an *ex parte* communication with opposing counsel concerning a request for an extension of time and then granted counsel's motion for extension without a statement of good cause. Complainant contends the Subject Judge should have recused himself from the case due to a "pattern suggesting bias." She also contends the Subject Judge admitted an attorney *pro hac vice* despite deficiencies in the attorney's application. 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.

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, report and recommendation, 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 not impartial, had or permitted his clerk to have improper *ex parte* communications, 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