

JUL 30 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90074

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

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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.

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 a federal grand jury returned a superseding indictment charging Complainant with two crimes. At a trial before the Subject Judge, the jury found Complainant guilty as charged in the superseding indictment. The Subject Judge later sentenced her to a term of imprisonment. This Court affirmed.

Complainant filed a motion to vacate, set aside, or correct sentence. 28 U.S.C. § 2255. The Subject Judge entered an order directing Complainant to show cause why her claims were not procedurally barred. Complainant then filed multiple motions seeking various types of relief, and the Subject Judge entered an order denying her motions and giving her a final opportunity to explain why her claims were not procedurally barred. The Subject Judge also entered an order administratively closing the case pending receipt of a compliant response. Complainant filed a response.

Complaint

Complainant alleges the Subject Judge exhibited bias, prejudice, and racism. She alleges he failed to rule on her motions and administratively closed her case without a response or written order, which prevented her from filing an appeal. She also alleges that, during her criminal case, the Subject Judge went into the jury room while the jury was deliberating, told her at sentencing that he would make sure she could not communicate with her adult daughters, stated he would ensure his colleagues would not grant her any relief, “made sure that there was NOT 1 black person on the Jury,” allowed a magistrate judge to sign a “barebones warrant,” and imposed a maximum sentence when there was no evidence that she committed a crime.

Supplement

In her supplement, Complainant reiterates her allegations.

Previous Complaints

Complainant filed two previous judicial complaints against the Subject Judge raising many allegations that she raises in the current complaint. Both complaints were dismissed on the grounds that they were merits-related and based on allegations lacking sufficient evidence. The Judicial Council Review Panel affirmed the dismissal of the first complaint, and no petition for review was filed about the second complaint. Both matters are closed.

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.” When a complaint repeats allegations of a previously dismissed complaint, it is appropriate to dismiss those repeated allegations and address only allegations that have not previously been considered. *See* Judicial-Conduct Rule 11(c)(2).

The Complaint fails to present a basis for a finding of misconduct. To the extent Complainant’s allegations are the same as those she raised in her previous complaints, those allegations have already been considered. Judicial-Conduct Rule 11(c)(2). To the extent Complainant’s remaining allegations concern the substance of the Subject Judge’s official actions, findings, rulings, and orders in the above-described cases, 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, engaged in intentional discrimination, 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