

MAY 13 2025

David J. Smith  
Clerk

CONFIDENTIAL

Before the Chief Judge of the  
Eleventh Judicial Circuit

---

Judicial Complaint No. 11-25-90076

---

**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 in state court a civil complaint against one defendant, and the defendant removed the case to federal court. The Subject Judge issued an order finding the complaint was “deficient in several ways,” striking the complaint, and directing Complainant to file an amended complaint. Complainant then filed multiple documents, and the Subject Judge issued an order denying his requests for relief and again directing him to file an amended complaint. The case remains pending.

## **Complaint**

Complainant alleges the Subject Judge “was not the intended judge to operate the case and they broke law by transfer[r]ing the case without consent.” He alleges the Subject Judge “violated the laws,” issued an “insulting order,” “denied any of my evidence,” and possibly acted with the defendant’s attorney in violation of the Code of Conduct for United States Judges. Finally, he states that the Subject Judge’s use of the phrase “denied as moot” was “rude” and “very aggres[s]ive.” He attached a document to his 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, 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, treated him in a demonstrably egregious and hostile manner, 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