

MAY 28 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90083

ORDER

An individual has filed a Complaint against a United States bankruptcy 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 a company filed a voluntary petition for Chapter 11 bankruptcy, and Complainant was listed as the manager of the company. The debtor also filed an adversary proceeding against another company to determine the right, title, and interest as to certain real property. After various proceedings, Complainant filed a “Notice of Filing a Recording,” in which he stated that a recording made in a public location before the underlying bankruptcy case was filed showed that two individuals stated that a judge could find they had engaged in grand theft, and one of

the individuals stated, “[the Subject Judge] can find a way.” After a hearing, the Subject Judge entered an order striking the notice of filing of the recording. Complainant filed a motion for reconsideration, which the Subject Judge denied. Both cases were later reassigned to a different judge.

The record also establishes that Complainant filed an amended civil complaint against the Subject Judge, and a district judge entered an order dismissing the amended complaint as a shotgun pleading.

Complaint

Complainant states that before the bankruptcy case was filed, a recording was made between an attorney and an interested party where the speakers admitted committing grand theft and the attorney stated that the Subject Judge would not endorse any position taken by Complainant and would always rule in their favor. Complainant states the Subject Judge did not listen to the recording, failed to recuse herself from the case, and threatened him by stating he committed a felony. Complainant alleges there is evidence that the Subject Judge colluded with a member of her family to facilitate payments that the individuals on the recording “orchestrated to members of the criminal syndicate for favorable court rulings or law enforcement participation, in which [the Subject Judge] received bribery payments and had knowledge of other bribery payment being made to judges” in a state court.

Complainant alleges there are “many incidents where [the Subject Judge] engaged in ex-parte communications regarding

bankruptcy cases, along with other matters, with me directly ... showing her propensity for disregard of the law.” He contends the Subject Judge disregarded “evidence of manipulation engaged in by the trustee” and failed to review certain documents, “continuing a long string of deliberate due process violations.” Complainant states the Subject Judge “was presented with claims of antisemitism made against” him, that witness affidavits “were dismissed,” and that the Subject Judge threatened to sanction him if the topic was raised again. He states he informed the Subject Judge that he was going to invite “one of America’s top lawyers” to observe her conduct and rulings at a hearing, and that, within a matter of minutes, the hearing was cancelled due to the Subject Judge’s “sudden unavailability.”

Complainant asserts that, during a discussion with a federal judge who was serving as mediator, the judge stated he would not have allowed the subject property to be auctioned in the manner that it was and that, after hearing the facts of the matter, the judge warned Complainant “to get away from the bankruptcy or they would steal all of the funds and other assets of the estate.” Complainant further asserts that, in connection with his lawsuit against the Subject Judge, a former state-court judge “was recorded saying that he had proof that [the Subject Judge] had influenced” the district judge to rule in her favor, and that the recording also implicated the Subject Judge in the district judge’s collusion. Finally, Complainant contends the Subject Judge’s “rulings are made in such a manner that they are drafted to be ambiguous and require clarification.” He attached documents to his Complaint.

Previous Complaint

Complainant filed a previous judicial complaint against the Subject Judge in which he raised allegations concerning the recording that he sought to introduce in the adversary proceeding and alleged the Subject Judge accepted bribes, stated he could not discuss antisemitic comments made against him, and engaged in improper *ex parte* communications. That complaint was dismissed on the grounds that it was merits-related and based on allegations lacking sufficient evidence. No petition for review was filed, and the matter is 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.

The Complaint fails to present a basis for a finding of misconduct. To the extent Complainant's allegations are the same as those he raised in his previous complaint, 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, colluded with others, accepted bribes, had 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