

MAY 30 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90085

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. The Subject Judge issued a report recommending that the complaint be dismissed for failure to state a claim. In a footnote, the Subject Judge stated that one of Complainant’s claims appeared to be based on the “nonsensical, consistently rejected jargon of the so-called ‘sovereign citizen’ movement.” Over Complainant’s objections, a district judge adopted the report and recommendation with modifications and dismissed the case.

Complaint

Complainant alleges the Subject Judge falsely and discriminatorily labeled him a “sovereign citizen” in violation of his constitutional rights, “demonstrated deep-seated antagonism and retaliated against [his] exercise of fundamental rights,” and engaged in unlawful “cultural discrimination and an attempt to delegitimize protected indigenous status.” Complainant further alleges the Subject Judge was biased, discriminated against him, retaliated against him, impaired his rights, undermined public confidence in the judiciary’s impartiality, and violated multiple canons of the Code of Conduct for United States Judges.

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, recommendations, 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, discriminated or retaliated against him, violated the Code of Conduct for United States Judges, 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