

AUG. 25 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the  
Eleventh Judicial Circuit

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Judicial Complaint Nos. 11-25-90088 through 11-25-90090

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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 25th day of August, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

JUN 06 2025

David J. Smith  
Clerk

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**ORDER**

An individual has filed a Complaint against two United States district judges and one 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 an individual, as executor of the estate of another individual, filed in state court a civil complaint against a company, alleging the defendant wrongfully refused to pay life-insurance proceeds. An attached “Affidavit of Next of Kin” shows that the individual plaintiff is Complainant’s sister. The defendant removed the case to federal court.

The plaintiff filed a motion to remand the case to state court, and a motion to recuse the First Subject Judge, alleging he was

involved in a previous case she filed, made false statements in that case, and improperly urged a state bar to conduct an inquiry into her conduct in that case. An attorney then entered an appearance on behalf of the plaintiff. The First Subject Judge entered orders denying the motion to recuse and the motion to remand. Two of the plaintiff's other siblings then filed a motion to intervene and to disqualify the First Subject Judge, stating they had filed a lawsuit against him that was related to the case. The plaintiff's attorney then filed a motion to withdraw, which the First Subject Judge granted.

The defendant filed a motion to reschedule mediation until the plaintiff obtained new counsel. The First Subject Judge entered an order granting the motion, finding that the plaintiff could not represent the estate *pro se* and directing her to obtain representation by a certain date. The First Subject Judge later entered an order denying the proposed intervenors' motion to intervene and denied as moot their motion to disqualify. The First Subject Judge also entered an order dismissing the case without prejudice due to the individual plaintiff's failure to obtain representation by the deadline.

The record also establishes that Complainant filed a civil complaint and a "Cross Claim" that both named the First Subject Judge as a defendant and included the case number of the above-described case. Both filings were docketed in a new case, and that case remains pending.

## **Complaint**

Complainant states that his Complaint concerns the First Subject Judge's "disability and history of alcohol abuse." He states that a newspaper article about the First Subject Judge's arrest for driving under the influence "shows he had a history of being unable to limit the amount of alcohol he drinks." He attached an article published over 30 years ago stating that the First Subject Judge pleaded guilty to drunken driving charges. Complainant states, "I am not sure if he is still abusing alcohol but such a disability would explain his criminal and civil misconduct if he still suffers from a drinking problem." He alleges that the First Subject Judge "is no longer able to fulfill the duties of his office due to mental and physical disabilities related to his alcohol abuse," and the "impact from his disability may have worsened his condition due to age."

Complainant alleges the First Subject Judge "engaged in and led a vendetta against me and my family on the job, abusing his office and public trust," and he asserts that complaints filed by family members "identify recent criminal conduct and civil wrongs" the First Subject Judge committed. Complainant alleges the First and Second Subject Judges and state-court judges "participated in a personal vendetta against" his sister, who was the individual plaintiff in the first above-described case. He contends the First Subject Judge issued a filing injunction against his sister without due process and "may have taken this action out of personal vendettas against" another sister because of her "stance against gay marriage" and because of his sister's "success at trial against" a certain

defendant. He also states the First Subject Judge “may be motivated by his bias to protect [another judge’s] legacy.”

With respect to the first above-described case, Complainant states the First Subject Judge “was suspiciously assigned” to the case, intentionally misapplied the law to deny the motion to remand, failed to recuse himself from the case despite “known conflicts of interest and bias against members” of Complainant’s family, and “failed to rule for an unreasonable length of time and only after making several adverse decisions.” Complainant contends that the First Subject Judge’s refusal to disqualify himself “made our lawyers afraid to remain in the case,” he granted an attorney’s motion to withdraw without make necessary findings, and he failed to appoint counsel or recommend a plan for *pro bono* representation. Complainant asserts the First Subject Judge “reported [his sister] to the bar knowing she was a pro se, his order was false, and that he broke the rules,” and he alleges the First Subject Judge “illegally and criminally expended his injunction order,” which “caused harm to me and my family.” Complainant also states that the First Subject Judge “and other federal and local judges” tried to impose a “universal injunction” that was based on false allegations.

Complainant states that when he filed a cross-claim against the defendant in the first above-described case, the First Subject Judge “went off record and rejected the cross claim” and “had off the record communications about my cross claim, causing it to be filed as a separate new case,” which he did to avoid the need to recuse in the case. Complainant contends the First Subject Judge

harmed him and his family “by separating us from the original case” and by “multiplying the litigation and creating five separate cases to prevent us from collaborating and consolidating motions and responses.” He also asserts the First Subject Judge failed to answer a state-court complaint filed against him and illegally removed the case to avoid a default judgment.

Complainant contends that the First Subject Judge’s “decreased awareness” and “mental slowness” are signs of a present disability. Complainant states, “His disability may induce psychosis, hallucinations, or delusions. [He] may not have these particular problems but his conduct and actions do[] not show clear thinking.” He states the First Subject Judge’s “disability may be causing memory loss or forgetfulness” and that he “may be engaged in intentional misconduct out of bitterness and hatefulness.” Finally, Complainant states that the First Subject Judge engaged in “arbitrary and capricious actions that have been shown to be a violation of federal law, unreasonable, unsupported by facts, or based on a faulty decision-making process—impaired by disability.” He does not raise any specific allegations against the Third Subject Judge. He attached documents to his Complaint.

### **Previous Complaint**

Approximately two years after the publication of the article about the First Subject Judge’s guilty plea to driving under the influence, a Complaint of Judicial Misconduct or Disability was identified against the First Subject Judge concerning the possibility that

he suffered from the disease of alcoholism. The Judicial Council of the Eleventh Circuit later dismissed the 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.

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.”

The Complaint fails to present a basis for a finding of misconduct. To the extent Complainant alleges that the First Subject Judge suffered from the disease of alcoholism approximately 30 years ago, those allegations have already been considered in connection with the previous complaint against the First Subject Judge. Judicial-Conduct Rule 11(c)(2). To the extent Complainant's allegations concern the substance of the First Subject Judge's official actions, findings, rulings, and orders in the above-described cases, the allegations are directly related to the merits of the First 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 First Subject Judge suffered from a disability, acted with an illicit or improper motive, was biased or otherwise not impartial, abused his office, committed crimes, or had improper *ex parte* communications, or that any of the Subject Judges 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