

SEP 9 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the  
Eleventh Judicial Circuit

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Judicial Complaint No. 11-25-90103

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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 9th day of September, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

JUL 16 2025

David J. Smith  
Clerk

CONFIDENTIAL

Before the Chief Judge of the  
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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 his Complaint, he filed two supplements. The filing of the supplements is permitted. *See* 11th Cir. JCDR 6.7.

**Background**

The record establishes that a jury found Complainant guilty of multiple crimes, and he was sentenced to a term of imprisonment. Documents attached to Complainant’s judicial complaint establish that he filed a complaint with the Subject Judge alleging that multiple attorneys engaged in misconduct in connection with grand-jury proceedings. The Subject Judge later sent Complainant

a letter stating he had reviewed the complaints of attorney misconduct, they did not present any nonfrivolous allegations, they did not plausibly state misconduct by any of the named attorneys, the allegations were directly related to the correctness of the proceedings and sought to collaterally attack the results of the proceedings, and the court would take no further action on the matters.

### **Complaint**

Complainant contends that the Subject Judge dismissed his complaint of attorney misconduct without addressing any of the issues, engaged in misprision of felony by dismissing the allegations as frivolous, used an “unjust excuse” to link the complaint to a court proceeding in order to dismiss it, and submitted his “response” on “his personal letter-head,” which showed that the matter “was a free-standing issue that [the Subject Judge] had to address outside the courtroom and separate from the on-going litigation of the case.” Complainant states “it is also a case of discrimination where a minority’s rights were violated by supporting the majority’s egregious misconduct along with criminal conduct.” He also takes issue with the conduct of other individuals.

### **Supplements**

In Complainant’s first supplement, he alleges the Subject Judge suffers from a disability that “relates to impairment of cognitive ability to recognize criminal conduct as well as egregious misconduct that was reported to” the Subject Judge. Complainant states that if the Subject Judge’s “cognitive abilities are intact,” then he “displayed deliberate misconduct of egregious nature ... by

casually dismissing serious criminal conduct ....” He attached a motion to recuse the Subject Judge.

In the second supplement, Complainant takes issue with the Subject Judge’s determination that the allegations were frivolous and implausible. He attached documents to the second supplement.

### **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.

In addition, the “Commentary on Rule 4” provides:

The phrase “decision or procedural ruling” is not limited to rulings issued in deciding Article III cases or controversies. Thus, a complaint challenging the

correctness of a chief judge's determination to dismiss a prior misconduct complaint would be properly dismissed as merits-related — in other words, as challenging the substance of the judge's administrative determination to dismiss the complaint — even though it does not concern the judge's rulings in Article III litigation.

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, orders, and letter determining that no action would be taken on the complaint alleging attorney misconduct, 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, committed a crime, discriminated against him, suffered from a disability, 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