

JUL 21 2025

David J. Smith  
Clerk

CONFIDENTIAL

Before the Chief Judge of the  
Eleventh Judicial Circuit

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Judicial Complaint Nos. 11-25-90115 through 11-25-90118

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**ORDER**

An individual has filed a Complaint against two United States district judges and two United States magistrate judges 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 an amended civil complaint against multiple defendants, and one defendant filed a motion to dismiss. The First Subject Magistrate Judge issued a report recommending that the defendant’s motion to dismiss be granted and that the claims against the other defendants be dismissed *sua sponte*. The First Subject District Judge entered an order adopting the report and recommendation. This Court clerically dismissed Complainant’s appeal for want of prosecution.

The record establishes that Complainant filed a second civil complaint against one defendant. The First Subject Magistrate Judge issued a report recommending that the complaint be dismissed as barred by *res judicata* and as frivolous. Over Complainant's objections, the First Subject District Judge entered an order adopting the report and recommendation. Complainant filed a motion for reconsideration, which the First Subject District Judge denied.

The record establishes that Complainant filed a third civil complaint against multiple defendants and a motion to proceed *in forma pauperis*. The First Subject Magistrate Judge issued orders granting the *in forma pauperis* motion and directing Complainant to file an amended complaint that addressed various deficiencies. Complainant then filed an amended complaint and a motion to recuse the First Subject Magistrate Judge. The First Subject Magistrate Judge entered an order denying the motion to recuse and issued a report recommending that the amended complaint be dismissed for failure to comply with the court's previous order. Complainant filed objections to the report and recommendations and a motion to recuse the Second Subject District Judge. The Second Subject District Judge entered an order adopting the report and recommendation and denying the motion to recuse. Complainant filed a motion for reconsideration, which the Second Subject District Judge denied.

The record establishes that Complainant filed a fourth civil complaint against one defendant, and he later filed an amended

complaint. The Second Subject Magistrate Judge issued a report recommending that Complainant's federal claims be dismissed for failure to state a claim on which relief could be granted and that the court decline to exercise supplemental jurisdiction over the state-law claims. Complainant filed objections and a motion to recuse the Second Subject District Judge and the Second Subject Magistrate Judge. The judges issued orders denying the motion to recuse, and the Second Subject District Judge entered an order adopting the report and recommendation. Complainant filed objections, and the Second Subject District Judge construed the objections as a motion for reconsideration and denied it.

### **Complaint**

Complainant alleges that the First Subject District Judge committed fraud upon the court, denied him due process, violated a certain statutory provision, applied procedural rulings in a discriminatory manner, refused to "apply *Erickson* pro se standards," and failed to recuse. He alleges the Second Subject District Judge rubber-stamped fraudulent reports and recommendations, dismissed a case "without adversarial process," and violated his constitutional rights. Complainant alleges the First Subject Magistrate Judge submitted fraudulent reports and recommendations and provided false evidence. He alleges the Second Subject Magistrate Judge submitted a fraudulent report and recommendation that contained factual misrepresentations.

## 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 Judges’ official actions, findings, rulings, reports, recommendations, and orders in the above-described cases, the allegations are directly related to the merits of the Subject Judges’ 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 Judges committed fraud, discriminated against him, made misrepresentations, 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