

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90154

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 28th day of November, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

ROSENBAUM, Circuit Judge, Concurring:

I concur in affirming Chief Judge William Pryor's Order dismissing the complaint. Complainant asserts that he "was testifying as a witness" before the subject judge and "had brought a service animal with [him] as [he] suffer[s] from PTSD and Anxiety." Complainant alleges that the subject judge "refus[ed] to allow [him] to have a service animal in the courtroom to ameliorate the effects of [his] PTSD and anxiety."

A review of the record does not confirm these allegations. Rather, the transcript shows that the service animal, a dog named Dewie," was actually Complainant's wife's service animal. Tr. At 83 ("THE COURT: Well, as I understand it, Dewie is [Complainant's wife's] service animal, not [Complainant's]. ATTORNEY: That's correct.")). But during the proceedings, Complainant's wife unfortunately had to go to the hospital for treatment. Because the hospital did not allow Dewie to accompany her, the dog stayed with Complainant at the courthouse.

When the subject judge learned that Dewie remained in his courtroom, he instructed Complainant's counsel to have Complainant remove the dog. At that point, Complainant advised that he could not continue his testimony if he had to remove the dog from the courtroom. So the subject judge allowed the dog to remain while Complainant testified that day. But the subject judge instructed Complainant that he could not bring the dog back the following day when he finished his testimony.

Nothing in any part of the record on which Complainant relies shows that Dewie was Complainant's service animal. To the contrary, as I've noted, counsel for Complainant confirmed that Dewie was *not* Complainant's service animal.

I'm not aware of how anything about the court's determination even arguably violates any Rule of Judicial Conduct. For that reason, I concur in the order affirming the judgment.

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David J. Smith
Clerk

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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.

Background

The record establishes that two individuals filed a civil complaint against multiple defendants. The record also establishes that a plaintiff from the case filed a civil complaint against one defendant, and the case was transferred to the Subject Judge because the issues in both cases were related. The cases were later consolidated, and a bench trial was held before the Subject Judge. The cases remain pending.

Complaint

Complainant states he testified as a witness and served as a paralegal in the above-described cases, he uses a service animal because he is a disabled veteran who suffers from Post-Traumatic Stress Disorder and anxiety, and the service animal is trained to, among other things, alert to “PTSD events and anxiety episodes.” Complainant states he brought his service animal during his testimony and that, after returning from a break, an attorney informed him that the Subject Judge had ordered him to remove his service animal from the courtroom. He states that after the Subject Judge was informed that he could not continue his testimony without the service animal, the Subject Judge allowed him to continue but informed him he could not return with the service animal the next day. Complainant states the Subject Judge “never asked me if I had a disability or what task the service animal performs, I was just told to ‘So take care of having the dog out of the courtroom.’”

Complainant states that his wife is a plaintiff in the above-described cases, and he alleges that the Subject Judge denied his wife’s request to appear at a hearing by Zoom, which directly resulted in her experiencing seizures. Complainant alleges the Subject Judge discriminated against him and his wife by refusing to allow his service animal to be present in the courtroom and by not allowing his wife to testify by Zoom.

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, 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, discriminated against him or his wife, or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D); *see Dietz v. Bouldin*, 579 U.S. 40, 47 (2016) (noting that the Supreme Court “has also held that district courts have the inherent authority to manage their dockets and courtrooms with a view toward the

efficient and expedient resolution of cases.”). For these reasons, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.
Chief Judge