

SEP 23 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90180

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 Complainant pleaded guilty to a crime, and the Subject Judge sentenced him to a term of imprisonment to be followed by a term of supervised release. Years later, the Subject Judge found that Complainant violated the terms of his supervised release and sentenced him to a term of imprisonment, to run consecutive to the sentence imposed in a certain state-court case.

Complaint

Complainant states that the Subject Judge wrote a letter to the Bureau of Prisons requesting that his federal sentence run consecutive to all of his state sentences, when he previously ordered that the federal sentence run consecutive to only one specified state sentence. Complainant contends that the Subject Judge's letter violated his due-process rights, exceeded the Subject Judge's authority, and undermined public confidence in the integrity and impartiality of the judiciary. He attached documents to his Complaint, including a letter from the Subject Judge to the Bureau of Prisons in which he stated it was the intention of the court for Complainant to complete the entirety of any sentences imposed by the state before returning to serve the federal sentence.

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” states, “The phrase ‘decision or procedural ruling’ is not limited to rulings issued in deciding Article III cases or controversies.”

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 case and the letter to the Bureau of Prisons, 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, exceeded his authority, 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