

OCT 29 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90215

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 a federal grand jury returned an indictment charging four individuals with multiple crimes, and the Subject Judge was assigned to one defendant’s case after it was transferred from another court. The defendant pleaded guilty to one count in the indictment, and the Subject Judge sentenced him to a term of imprisonment.

Complaint

Complainant states that the Subject Judge “had been ‘hacked’ by a co-defendant of the defendant prior to the [above-described] case,” and that during a status conference, the Subject Judge “talked about perceived threats and mentioned the group that the defendant was part of.” He states, “This seems like grounds for recusal as personal involvement gives the perception of an impartial judge.” Complainant quotes a transcript from another case in which the Subject Judge stated there had been a “security concern” that someone was trying to obtain his personal information, but that it turned out there was no threat to his safety. Complainant states “Given that the sentencing itself greatly exceeded the prosecution’s recommendation, this adds to the seeming air of impropriety and the lack of a fair sentencing due to the lack of an impartial judge.”

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 case, 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 was not impartial 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