

JAN 29 2026

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90218

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 29th day of January, 2026.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

OCT 30 2025

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 Complainant filed a *pro se* civil complaint against multiple defendants and a motion to proceed *in forma pauperis* and for the appointment of counsel. The Subject Judge entered an order deferring a ruling on Complainant’s motion after determining his complaint was a shotgun pleading. Complainant filed an amended complaint naming two defendants. The Subject Judge issued an order denying as moot Complainant’s motion to proceed *in forma pauperis* because he paid the filing fee and

denying his request for appointment counsel because his claims were “neither novel nor complex.”

One defendant moved to dismiss the amended complaint, the other defendant moved for leave to file a motion to dismiss out-of-time, and Complainant moved for default against a defendant. The Subject Judge denied the motion for default because Complainant provided no evidence that the defendant had been properly served. The Subject Judge also granted the defendant leave to file a motion to dismiss out of time, and the defendant then moved to dismiss the amended complaint. The defendants later moved to stay the case pending resolution of their motions to dismiss, which the Subject Judge granted. The case remains pending.

Complaint

Complainant states the Subject Judge engaged in a pattern of conduct and issued a series of rulings that demonstrated bias against him as a *pro se* litigant and bias in favor of the defendants, denied him a fair opportunity to be heard, held him to a standard that made it impossible for him to litigate his case, allowed a defendant to submit untimely filings, and admonished him for making a “[p]rocedural [s]uggestion.” He contends that by denying his motion for appointment of counsel and staying the proceedings, the Subject Judge effectively prevented him from prosecuting his case.

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 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 acted with an illicit or improper motive, was biased or otherwise not impartial, treated him in a demonstrably egregious and hostile manner, 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