

JAN 29 2026

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90219 and 11-25-90220

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

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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 and a United States magistrate 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 Complainant with one crime. Complainant pleaded not guilty to the charge, and the Subject Magistrate Judge ordered him detained pending trial. Complainant, through counsel, then filed multiple motions to continue the trial, which the Subject District Judge granted. The Subject Magistrate Judge issued a report recommending that a motion to suppress that Complainant had filed be denied, and over Complainant's objections, the Subject District Judge adopted the report and recommendation.

After additional filings, the Subject District Judge entered an order continuing the trial date upon a finding that the ends of justice outweighed the defendant's and the public's interest in a speedy trial. Complainant filed additional motions to continue the trial, which the Subject District Judge granted. The Subject District Judge then entered an order noting that the trial had been cancelled due to Complainant's decision to plead guilty but that he decided to maintain his plea of not guilty, and the order continued the trial. Complainant's attorney then filed a motion for a hearing to determine whether Complainant was mentally competent to stand trial, and the Subject District Judge granted the motion and continued the trial. The case remains pending.

Complaint

Complainant takes issue with delay in the case, contending the delay prejudiced him, "handicapped" his defense, and violated his constitutional rights. He states that the Subject Magistrate Judge made a "statement concerning the speedy trial clock," which led him to believe that "prejudice exist[ed]." He asserts that the Subject District Judge "made statements such as 'who are you' (cumulative)," which let him to believe "he was having a senior citizen moment (memory loss)." He also states the Subject District Judge "got really sick ... and could not conduct trial." With respect to delay, Complainant asserts that "[n]o reasonable judges would have made the same decision under the laws and facts." Finally, he appears to allege that "harsh jail conditions" were used to extort a guilty plea and a waiver of his right to appeal. He attached documents to his Complaint.

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.

Furthermore, Judicial-Conduct Rule 4(b)(2) provides that cognizable misconduct does not include “an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases.” The “Commentary on Rule 4” states that “a complaint of delay in a single case is excluded as 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,

report, recommendations, and orders in the above-described case, 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 acted with an illicit or improper motive, were prejudiced against him, suffered from a disability, 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