

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

NOV 13 2025

CONFIDENTIAL

David J. Smith
Clerk

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90226 through 11-25-90231

ORDER

An individual has filed a Complaint against five United States magistrate judges and one former 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 one of the Subject Judges signed a criminal complaint finding there was probable cause to believe that Complainant committed a crime. After Complainant's arrest, a federal grand jury returned an indictment and multiple superseding indictments charging Complainant with crimes. A jury later found Complainant guilty of certain crimes.

Complaint

Complainant alleges he was arrested on a criminal complaint that bore a notary seal with an expiration date that had been “fraudulently altered,” and that a superseding indictment also bore the “defective seal.” He contends the expired seal rendered the notary attestation invalid and that an “altered expiration date constitutes fraud upon the court.” Complainant states that “the magistrate judges who issued search warrants and written orders later presided over my arraignment and pretrial proceedings,” which created a conflict of interest and required recusal. He states, “These actions deprived me of a neutral magistrate [judge] and constitute structural error not subject to harmless error review.” He also states the Subject Judges violated his constitutional rights and showed “[b]ias and appearance of bias” that “destroy[ed] impartiality.” He attached documents to his Complaint.

Discussion

1. Former Subject District Judge

Judicial-Conduct Rule 11(e) states, “The chief judge may conclude a complaint proceeding in whole or in part upon determining that intervening events render some or all of the allegations moot or make remedial action impossible as to the subject judge.” The Commentary on Rule 11 states in part, “Rule 11(e) implements Section 352(b)(2) of the Act, which permits the chief judge to ‘conclude the proceeding,’ if ‘action on the complaint is no longer

necessary because of intervening events,’ such as a resignation from judicial office.”

The intervening event of the former Subject Judge’s retirement render the allegations moot or make remedial action impossible. Judicial-Conduct Rule 11(e). For that reason, this Complaint proceeding is **CONCLUDED** to the extent it concerns the former Subject Judge. The conclusion of this proceeding in no way implies that there is any merit to Complainant’s allegations against the former Subject Judge.

2. Remaining Subject Judges

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.

To the extent the Complaint concerns the remaining Subject Judges, the Complaint fails to present a basis for a finding of misconduct. To the extent the Complaint concerns the remaining Subject Judges' official actions, findings, rulings, and orders, 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 biased or otherwise not impartial, committed fraud upon the court, had a conflict of interest, or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). For these reasons, this Complaint is **DISMISSED** to the extent it concerns the remaining Subject Judges.

/s/ William H. Pryor Jr.
Chief Judge