

DEC 16 2025

CONFIDENTIAL

David J. Smith
Clerk

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90256

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 second amended complaint against multiple defendants. A magistrate judge issued a report recommending that the second amended complaint be dismissed for lack of subject-matter jurisdiction or, in the alternative, for failure to comply with Federal Rule of Civil Procedure 8. Over Complainant's objections, the Subject Judge adopted the report and recommendation. The Subject Judge then ordered that Complainant must seek leave of court before filing new motions. Complainant later filed multiple motions for various

types of relief, and the Subject Judge entered orders denying some motions and striking others.

Complaint

Complainant contends the Subject Judge was biased and prejudiced and should have disqualified himself from the case. He complains that corrected motions he filed “were denied without substantive adjudication on the merits,” and he contends that the “repeated denials following corrected submissions creates a reasonable appearance that Plaintiff cannot obtain a fair and impartial hearing.”

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 biased or otherwise 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