

DEC 17 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90257

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.

As an initial matter, after Complainant filed his Complaint, he filed a supplement. The filing of the supplement is permitted. *See* 11th Cir. JCDR 6.7.

Background

The record establishes that Complainant filed a petition for a writ of error *coram nobis*. The Subject Judge entered an order dismissing the petition as frivolous and stating that Complainant was a “serial litigant.” Complainant filed a motion to alter or amend the judgment, which the Subject Judge denied.

Complaint

Complainant alleges the Subject Judge dismissed his case without addressing certain binding precedent and “without meaningful analysis, undermining confidence in the impartiality and integrity of the judiciary.” He contends the Subject Judge’s dismissal of the petition “without engaging the legal and factual issues raised” constituted “a failure to perform judicial duties impartially and fully, and raises concerns of bias and denial of due process.” He takes issue with the Subject Judge’s determination that his petition was frivolous and alleges that she “exercised her docket-control power in a manner that deprived [him] of a meaningful opportunity to litigate a substantial constitutional issue” in violation of the Code of Conduct for United States Judges.

Supplement

In his supplemental filing, Complainant reiterates his allegations and contends the Subject Judge misapplied legal standards, abused her judicial authority by threatening to sanction him, created a “chilling effect on the exercise of legal rights,” prejudged his case by labeling him a serial litigant, and denied him the opportunity to correct errors.

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 acted with an illicit or improper motive, was biased or otherwise not impartial, abused her authority, violated the Code of Conduct for United States Judges, 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