

DEC 17 2025

CONFIDENTIAL

David J. Smith
Clerk

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90280

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* petition for a writ of error *coram nobis*. The Subject Judge entered an order dismissing the petition as frivolous and stated that Complainant was a “serial litigant” and that he raised claims derived from arguments he and others raised on direct appeal. Complainant filed a motion to alter or amend judgment, which the Subject Judge denied.

Complainant then filed another motion to alter or amend, and the Subject Judge entered an order denying the motion and

directing Complainant to show cause as to why he should not be deemed a vexatious litigant and restricted from submitting further filings. Complainant then filed a third motion to alter or amend and a response to the show-cause order. The Subject Judge entered an order denying the third motion, finding Complainant was a vexatious litigant, and directing the clerk to refuse any future pleadings attacking his conviction unless signed by an attorney.

Complaint

Complainant alleges the Subject Judge dismissed his petition as frivolous without reviewing the merits, failed to liberally construe his *pro se* filings, made false and misleading statements that his claims were derived from previous arguments, mischaracterized his prior filings, threatened sanctions without due process, improperly dismissed the petition *sua sponte*, and caused “legal, financial, and collateral harm.” He states, “The judge’s conduct evidences bias, abuse of authority, repeated misapplication of law, misrepresentation of the record, refusal to adjudicate matters on the merits, and issuance of improper threats toward the litigant.” He also contends that the Subject Judge did not allow him to amend his petition despite his *pro se* status, predetermined the outcome of the matter, engaged in a “pattern of bias and hostility,” exhibited a “dismissive tone,” and falsely stated that the petition contained no reference to wiretaps, confidential informants, or state warrants.

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, made false statements, abused his authority, treated Complainant 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