

JAN 16 2026

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90282

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 the Subject Judge was assigned to four civil cases that Complainant filed. In one case that Complainant filed against a state-court judge, he filed a “Motion to Disclose *Ex Parte* Communication.” The Subject Judge entered an order denying the motion, stating that Complainant produced no evidence of *ex parte* contact and that he could “simply pay for the public records he wants.” The order continued:

But instead, he relies on an illogical and weak-minded theory that because it will take two hours for [a state

court's] IT team to perform the numerous searches he requested, that must mean those searches would produce relevant documents. Of course that is simply not true. Instead of making inappropriate and baseless accusations without a shred of evidence to support them, Plaintiff should actually pay the less than \$90 for the information he claims to want. This same Plaintiff paid numerous individual filing fees rather than authoring one consolidated Complaint with one filing fee. Claims of sudden indigence are--like his Motion--disingenuous.

The case remains pending.

Complaint

Complainant states that in the order "Motion to Disclose *Ex Parte* Communication," the Subject Judge:

berated the Complainant's intelligence and socioeconomic status in a bias and prejudicial manner ... by calling Complainant's logic "weak-minded," making assumptions about Complainant's ability to pay for public records, commenting, and insulting Complainant for paying multiple filing fees for individual cases instead of paying one filing fee for a consolidated case.

Complainant also alleges that the Subject Judge falsely stated that it would take hours to perform "the numerous searches he requested," when he only requested one search, and he contends the

Subject Judge violated the Code of Conduct for United States Judges. 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.

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, treated him in a demonstrably egregious and hostile manner, made false statements, violated the Code of Conduct for United States Judges, or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D).

Although the Subject Judge used a poor choice of words when characterizing Complainant's argument as "weak-minded," the language in the order does not rise to the level of demonstrably egregious and hostile treatment. *See Liteky v. United States*, 510 U.S. 540, 555-56, 114 S. Ct. 1147, 1157 (1994) (stating that bias or partiality is not established by "expressions of impatience, dissatisfaction, annoyance, and even anger, that are within the bounds of what imperfect men and women, even after having been confirmed as federal judges, sometimes display.").

For these reasons, this Complaint is **DISMISSED**.

/s/ William H. Pryor Jr.
Chief Judge