

MAR 10 2026

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-26-90039

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 preside over a criminal case in which a then-former political office holder was one of the defendants. After various proceedings, the Subject Judge granted the defendant’s motion to dismiss the superseding indictment. The Subject Judge later issued an order barring the release of a certain government report. Two entities moved to intervene to challenge the order. The entities later filed petitions for a writ of mandamus, and this Court determined that the entities established undue delay and held the petitions in

abeyance to allow the district court to rule on their motions to intervene. After the district court denied the motions, this Court dismissed the mandamus petitions as moot. The former defendants then moved to prohibit the release of the report. The Subject Judge entered an order precluding the report's release, determining that its release would be contrary to the court's orders in the case, irreparably damage the defendants, and contravene basic notions of fairness and justice. An appeal of the order remains pending.

Complaint

Complainant alleges the Subject Judge was not impartial, "systematically favor[ed] the individual who appointed her," and violated the Code of Conduct for United States Judges. Complainant states that the Subject Judge was assigned to above-described case against the individual who appointed her and that two "more senior federal judges" recommended that she decline the assignment. Complainant contends that the "combination of the appointment relationship" and the Subject Judge's "sustained pattern of conduct ... raises a question about impartiality." Complainant alleges the Subject Judge treated the parties differently in the underlying proceedings. He contends the Subject Judge reprimanded the government for "minor technical violations of local rules," while failing to scrutinize "procedural failures by the defendant's legal team," which was part of her pattern of conduct and "contributes to the appearance-of-partiality concerns."

Next, Complainant alleges that the Subject Judge has a "documented pattern of delay that persisted across multiple distinct

proceedings, each time to the benefit of the appointing party.” He contends that the Subject Judge indefinitely postponed the criminal trial when the defendant had “an acute personal interest” in preventing the trial from occurring. He also states that the Subject Judge failed to rule for months on entities’ motions to intervene and notes that this Court determined that the Subject Judge had engaged in undue delay in ruling on those motions.

Complainant takes issue with the Subject Judge’s order permanently blocking the public release of a government report. He contends that “several aspects of this ruling ... raise serious appearance-of-partiality concerns,” and he states that the underlying criminal proceedings had concluded, the ruling was issued “at the personal request” of a former defendant, it was issued by the same judge who dismissed the underling case, and it ensured that the government’s evidence against a public official will remain permanently shielded from public scrutiny, which benefitted the former defendant “personally, politically, and legally.” Complainant contends that the Subject Judge’s reasoning was “circular” and that a reasonable observer would question whether she exercised independent judgment by using “her own unreviewable prior ruling” to support the order. He also states that the Subject Judge denied motions to intervene, which “prevent[ed] any adversarial challenge” to the order.

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.

Furthermore, Judicial-Conduct Rule 4(b)(2) provides that cognizable misconduct does not include “an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases.” The “Commentary on Rule 4” states that “a complaint of delay in a single case is excluded as 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 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, used her office to obtain special treatment for others, 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