

MAY 22 2026

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-26-90094

ORDER

An attorney 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 represented the plaintiffs in a civil action filed against multiple defendants. After the plaintiffs filed a second amended complaint, a defendant moved for summary judgment, and the plaintiffs filed a brief in opposition. The defendant filed a reply contending that most of the cases cited in the plaintiffs' response brief did not support the propositions for which they were cited, referenced non-existent quotations, or did not exist. The plaintiffs then moved to file a corrected brief,

stating that Complainant had inadvertently filed the wrong version of the response brief.

At a hearing on the motion for summary judgment, Complainant apologized for uploading an erroneous brief and stated that she did not prepare the brief, her daughter may have used artificial intelligence to prepare it, it was filed under Complainant's name, and it contained non-existent cases or cases that did not stand for the propositions for which they were cited. The Subject Judge noted that he had found that Complainant made misrepresentations in a prior case and that her filing of the brief in the case was a possible violation of Fed. R. Civ. P. 11. The Subject Judge further stated that he thought she should self-report the matter to the state bar and that the matter could affect her ability to practice law. After discussing the merits of the case, the Subject Judge stated that he had reason to doubt Complainant's credibility based on events in the case.

After the hearing, the Subject Judge entered an order directing Complainant to show cause at an evidentiary hearing why she should not be sanctioned for violating Rule 11. The plaintiffs filed a motion to recuse the Subject Judge because he spoke to Complainant in a disrespectful and condescending manner at the summary-judgment hearing, improperly questioned her credibility in open court, and created a reasonable perception that he was personally biased or prejudiced against her. The Subject Judge denied the motion to recuse and stated that judges are required to make credibility determinations when addressing Rule 11 violations and

that his concerns about Complainant's professionalism were not a proper basis for recusal.

At the show-cause hearing, Complainant contended that she did not violate Rule 11 because she accidentally uploaded the brief containing non-existent cases and quotations and then corrected the mistake. The Subject Judge pointed out that the corrected brief also cited at least one case that did not stand for the proposition for which it was cited. The Subject Judge found that Complainant violated Rule 11 and stated that her conduct was "something for the Bar to consider" and that his order would be forwarded to the Bar for consideration.

The Subject Judge later issued an order concluding that Complainant violated Rule 11 by failing to review and then filing a brief containing flawed citations. The order required Complainant to notify her existing clients of the court's findings and to file a copy of the order in pending and future cases in the district court for five years. Afterward, the Subject Judge granted the defendant's motion for summary judgment and dismissed the case because none of the other defendants had been served and the claims were barred by the applicable statute of limitations. The plaintiffs moved for reconsideration, which the Subject Judge denied.

Complaint

Complainant alleges the Subject Judge "created a substantial appearance of bias, coercion, and departure from judicial neutrality." She alleges that the Subject Judge presided over multiple hearings in the case "while simultaneously conducting Rule 11

proceedings directed at plaintiffs' counsel." She states, "During those proceedings, the Court engaged in questioning and commentary that reflected skepticism toward counsel's credibility and, at times, an adversarial posture inconsistent with the role of a neutral arbiter." Complainant further states, "Of grave concern, during the Rule 11 proceedings, [the Subject Judge] stated from the bench that he would contact a personal acquaintance described as a 'friend' who served on the State Bar[s] ... disciplinary committee," and she states that the Subject Judge later confirmed that he contacted the individual.¹ She contends that the "combination of the statement and the confirmed contact give rise to a reasonable concern that extrajudicial communications occurred during the pendency of litigation and that such communications related to counsel appearing before the Court."

Complainant complains that the Subject Judge filed a grievance against her with the State Bar while the litigation was active, which she contends created "at minimum, a substantial appearance of partiality and raises concerns regarding the chilling effect on counsel's ability to advocate freely on behalf of a client." She states the Subject Judge later denied a motion to recuse and granted summary judgment in the defendant's favor "after the Court had (1) made credibility-related comments concerning counsel, (2) referenced and acted upon a personal connection to a disciplinary

¹ Complainant does not provide a citation to the Subject Judge's alleged statement concerning his "friend," and the transcripts shows that the Subject Judge did not refer to a friend or to a specific individual at the State Bar.

authority, and (3) filed a grievance against counsel.” She states the Subject Judge’s conduct created a reasonable appearance of “(1) a departure from impartiality and neutrality, (2) improper consideration of matters outside the record, (3) use of judicial authority in a manner that could be perceived as coercive, (4) engagement in extrajudicial activity affecting counsel during pending litigation and (5) continued participation in the case despite circumstances in which impartiality might reasonably be questioned.” She also states that her “concerns are further informed by the principles set forth in the Code of Conduct for United States Judges” She attached documents to her 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); *see also* Canon 3B(6) of the Code of Conduct for United States Judges ("A judge should take appropriate action upon receipt of reliable information indicating the likelihood ... that a lawyer violated applicable rules of professional conduct."). 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, had improper *ex parte* communications, 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