

AUG. 18 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90092

ORDER

Before: ROSENBAUM, NEWSOM, and BRANCH, Circuit Judges; BEAVERSTOCK and WINSOR, Chief District Judges.

Pursuant to 11th Cir. JCDR 18.3, this Judicial Council Review Panel has considered the materials described in JCDR 18(c)(2), including petitioner's complaint, the order of Chief United States Circuit Judge William H. Pryor Jr., and the petition for review filed by petitioner. No judge on this panel has requested that this matter be placed on the agenda of a meeting of the Judicial Council.

The Judicial Council Review Panel hereby AFFIRMS the disposition of this matter by Chief Judge Pryor. The petition for review is DENIED.

Done this 18th day of August, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

JUN 20 2025

David J. Smith
Clerk

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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 a federal grand jury returned a superseding indictment charging Complainant and others with multiple crimes. The defendants filed a motion to dismiss the superseding indictment based in part on selective race-based prosecution. At a hearing on the motion, the Subject Judge determined that the testimony of subpoenaed witnesses was unnecessary and unduly intruded upon the prosecution of the case, and he stated that the court would not permit the witnesses to be examined. After the hearing, the Subject Judge entered an order denying the motion to

dismiss. Complainant later pled guilty as charged in the superseding indictment, and the Subject Judge sentenced her to a term of imprisonment. This Court affirmed.

Complainant filed a motion to vacate, set aside, or correct sentence, 28 U.S.C. § 2255, arguing in part that her counsel had been ineffective in the criminal case. A magistrate judge issued a report recommending that the motion to vacate be denied, and over Complainant's objections, the Subject Judge adopted the report and recommendation.

Complaint

Complainant alleges the Subject Judge exhibited a "pattern of judicial bias, legal misapplication, obstruction of due process, retaliation, and a failure to act impartially and professionally," which "undermined public confidence in the judiciary and violated the standards of judicial behavior prescribed by law and the Code of Conduct for United States Judges." Complainant states the Subject Judge did not rule in her favor "on a single pretrial or post-conviction motion," wrongfully denied her motion to vacate, "failed to address significant constitutional issues," exhibited "a predetermined bias and disregard for fairness," appeared to endorse taunting by the government, and imposed an unnecessarily harsh sentence.

Complainant alleges the Subject Judge "exhibited clear hostility" when she raised issues of racial discrimination and selective prosecution, and made an "inappropriate and prejudicial statement" in open court that a government attorney was not racist.

She states she “reached out” to others about her case, and she fears retaliation because the Subject Judge “appears antagonistic toward any public or legal challenge to his authority or the government’s narrative.” Complainant further states that the Subject Judge violated her due-process rights by initially granting an evidentiary hearing on the issue of selective prosecution, but then on the day of the hearing, ruling that the defense could not question witnesses because it would unduly intrude on the prosecution of the case. She also asserts that the Subject Judge “berated my counsel for over two hours, visibly flustering him, and threatened sanctions” and treated him “with condescension and disrespect.” 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 cases, 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, retaliated against her, treated anyone in a demonstrably egregious or hostile manner, 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