

JUL 14 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90102

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 an indictment charging a defendant with one count each of wire fraud and theft of government property. The indictment alleged that the defendant falsely claimed to have been married to a deceased veteran and repeatedly claimed benefits available to spouses of deceased veterans knowing she was ineligible because she had divorced her spouse. The defendant later pleaded guilty to the wire-fraud charge. The Subject Judge sentenced Complainant to a term of two months of imprisonment.

Complaint

Complainant states he knows the defendant and attended her sentencing hearing in the above-described case. He states that, before the hearing, the defendant told him and others that the Subject Judge required her to muzzle her service animal for the hearing even though the service animal had been in court several other times before the Subject Judge. Complainant complains that, at the hearing, the Subject Judge divulged how the defendant spent the money she received from the Department of Veterans Affairs, discussed the defendant's medical procedures in violation of her rights under the Health Insurance Portability and Accountability Act, revealed that the defendant had a "nose job" and "breast job," inaccurately stated the defendant fraudulently obtained her home, blocked the defendant from attending certain events in violation of her religious rights, and sentenced her to two months of imprisonment despite that the government and defense agreed no imprisonment was necessary.

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 treated the defendant 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