

OCT 10 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90104 through 11-25-90110

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 Acting Chief United States Circuit Judge Adalberto Jordan, 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 Acting Chief Judge Jordan. The petition for review is DENIED.

Done this 10th day of October, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

JUL 16 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Acting Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90104 through 11-25-90110

ORDER

An individual has filed a Complaint against four United States circuit judges, two United States district judges, and one former 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 shows that a federal grand jury returned an indictment charging Complainant with drug-related offenses, he later pled guilty to two counts, and the First Subject District Judge sentenced him to a term of imprisonment. The First Subject Judge later transferred jurisdiction over Complainant's term of supervised release to another district court, and the Third Subject District Judge accepted the transfer.

After various proceedings, Complainant was found to have violated the terms of his supervised release, and the Third Subject District Judge sentenced him to a term of imprisonment. The case was later reassigned to the Second Subject District Judge. Complainant was later found to have again violated the terms of his supervised release, and the Second Subject Judge sentenced him to a term of imprisonment. On appeal, a panel that included the First Subject Circuit Judge affirmed.

Years later, Complainant filed a document in his initial criminal case alleging his plea was coerced and that the government and his defense counsel conspired to commit fraud on the court and to withhold exculpatory evidence. The First Subject District Judge entered an order construing Complainant's filing as a petition for writ of error *coram nobis* and dismissing the petition with prejudice.

On appeal, a panel composed of the Second, Third, and Fourth Subject Circuit Judges issued an opinion granting the government's motion for summary affirmance because the government was clearly right as a matter of law. After the mandate issued, Complainant filed a motion to recall the mandate, arguing that the panel's opinion was clearly erroneous and raising allegations of misconduct against the Subject Judges. The panel denied the motion to recall the mandate.

Complaint

Complainant alleges that the First Subject Circuit Judge supervised the other Subject Circuit Judges "during the occurrence of systemic misconduct," "failed to initiate corrective oversight,"

“enabled the continuation of unlawful judicial practices,” was willfully blind, aided and abetted constitutional violations, failed to recuse himself, “demonstrated a deliberate indifference to judicial misconduct,” violated criminal and other statutes and the Code of Conduct for United States Judges, and conspired with others to violate Complainant’s constitutional rights.

Complainant alleges that the other Subject Circuit Judges acted without jurisdiction, issued a decision that conflicts with Supreme Court precedent, failed to address issues, exhibited “deliberate indifference to evidence of fraud,” failed to recuse, violated criminal and other statutes and the Code of Conduct for United States Judges, and conspired with others to violate Complainant’s constitutional rights. Complainant also asserts that the other Subject Circuit Judges’ “financial disclosure statement[s] present signs of a conflict.”

With respect to the Subject District Judges, Complainant cites to the motion to recall that mandate that he filed in the above-described appeal. In that motion, Complainant, among other things, alleged that the Subject Judges colluded to conceal fraud upon the court and other misconduct, committed crimes, and obstructed justice. He attached documents to his Complaint.

Discussion

1. Former Subject District Judge

Judicial-Conduct Rule 11(e) states, “The chief judge may conclude a complaint proceeding in whole or in part upon determining that intervening events render some or all of the allegations

moot or make remedial action impossible as to the subject judge.” The Commentary on Rule 11 states in part, “Rule 11(e) implements Section 352(b)(2) of the Act, which permits the chief judge to ‘conclude the proceeding,’ if ‘action on the complaint is no longer necessary because of intervening events,’ such as a resignation from judicial office.”

The intervening event of the former Subject District Judge’s resignation render the allegations moot or make remedial action impossible. Judicial-Conduct Rule 11(e). For that reason, this Complaint proceeding is **CONCLUDED** to the extent it concerns the former Subject District Judge. The conclusion of this proceeding in no way implies that there is any merit to Complainant’s allegations against the former Subject District Judge.

2. Remaining Subject Judges

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.

To the extent the Complaint concerns the remaining Subject Judges, the Complaint fails to present a basis for a finding of misconduct. To the extent the Complaint concerns the remaining Subject Judges' official actions, findings, rulings, orders, and opinions in the above-described cases and appeals, the allegations are directly related to the merits of the Subject Judges' 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 Judges acted with an illicit or improper motive, were part of a conspiracy, committed crimes, violated the Code of Conduct for United States Judges, had a conflict of interest, or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). For these reasons, this Complaint is **DISMISSED** to the extent it concerns the remaining Subject Judges.

/s/ Adalberto Jordan
Acting Chief Judge