

AUG. 01 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90128

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.

As an initial matter, after Complainant filed her Complaint, she filed a supplement. The filing of the supplement is permitted. *See* 11th Cir. JCDR 6.7.

Background

The record establishes that Complainant filed a *pro se* civil complaint against two defendants, and one defendant filed a motion to dismiss. Complainant then filed an amended complaint, and the other defendant filed a motion to dismiss. The Subject Judge entered an order construing Complainant’s amended complaint to be a response to the first motion to dismiss. The order explained

that Complainant removed the defendant from her response, which appeared to be a concession that the defendant should be dismissed. The order granted the first motion to dismiss and stated that the action would proceed as to the other defendant. The Subject Judge later entered an order granting the other defendant's motion to dismiss. Complainant filed a motion for reconsideration, which the Subject Judge denied.

Complaint

Complainant alleges the Subject Judge falsely stated in an order that she "failed to cite" one of the defendants, when she identified the defendant on the first page of a supplemental filing. She states the Subject Judge dismissed the defendant but allowed the other defendant to remain in the case, and that "[t]his treatment can be seen as inconsistent which further illustrates the carelessness and/or bias shown in the decision to selectively dismiss a party." Complainant contends the Subject Judge failed to liberally construe her *pro se* pleadings, which raised "serious concerns" as to whether he failed to read her filings or made an intentional misrepresentation. Finally, she states the Subject Judge's order was "unjust" and undermined her due-process rights. She attached documents to her Complaint.

Supplement

In her supplement, Complainant states that her "Cash App" was recently disabled and that, after she filed her Complaint, her "AT&T prepaid number" was blocked, and she argues that the timing of these events show a "clear and escalating pattern of

retaliation and obstruction.” She also takes issue with the actions of another individual.

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 acted with an illicit or

improper motive, was biased, made misrepresentations, retaliated against her, 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