

AUG. 05 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90132

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 with two crimes. At a trial before the Subject Judge, the jury found Complainant guilty as charged in the superseding indictment. The Subject Judge later 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. The Subject Judge entered an order directing Complainant to show cause why her claims were not procedurally barred. Complainant then filed multiple motions seeking

various types of relief, and the Subject Judge entered an order denying her motions and giving her a final opportunity to explain why her claims were not procedurally barred. The Subject Judge also entered an order administratively closing the case pending receipt of a compliant response. Complainant filed a response.

Complaint

Complainant states that the Subject Judge “admitted” at her sentencing hearing “that his colleagues would cover for him and not grant me entitled relief.” Complainant complains that the Subject Judge failed to act on the response she filed in the post-conviction case, and she states that “silence is [his] protocol and then dismissal without granting the entitled relief or clearly documenting the records correctly” She asserts that the Subject Judge ignored “the legalities of the constitution” and case law to “do as he pleases to further commit color of law, misprision and judicial misconduct” She asserts the Subject Judge engaged in “a deliberate criminal act in his official capacity,” manipulated the legal system, and imposed a disproportionate sentence. She also takes issue with the actions of other individuals. She attached a document in which she, among other things, reiterates her allegations, contends that the Subject Judge entered the jury room while the jury was deliberating, and alleges that he colluded with other judges.

Previous Complaints

Complainant filed three previous judicial complaints against the Subject Judge raising certain allegations that she raises in the current complaint. All three complaints were dismissed on the

grounds that they were merits-related and based on allegations lacking sufficient evidence. The Judicial Council Review Panel affirmed the dismissal of the first and third complaint matters, and no petition for review was filed in the second complaint matter. All three matters are closed.

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.

Furthermore, Judicial-Conduct Rule 4(b)(2) provides that cognizable misconduct does not include “an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases.” The “Commentary on

Rule 4” states that “a complaint of delay in a single case is excluded as merits-related.”

When a complaint repeats allegations of a previously dismissed complaint, it is appropriate to dismiss those repeated allegations and address only allegations that have not previously been considered. *See* Judicial-Conduct Rule 11(c)(2).

The Complaint fails to present a basis for a finding of misconduct. To the extent Complainant’s allegations are the same as those she raised in her previous complaints, those allegations have already been considered. Judicial-Conduct Rule 11(c)(2). To the extent Complainant’s remaining 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, committed a crime, colluded with others, 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