

JAN 7 2026

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90134

ORDER

Before: JILL PRYOR, 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 7th day of January, 2026.

FOR THE JUDICIAL COUNCIL:

/s/ Jill A. Pryor

United States Circuit Judge

AUG. 13 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.

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* complaint against the United States under the Federal Tort Claims act. After she filed an amended complaint, she filed a motion to appoint counsel, and a magistrate judge denied the motion. The Subject Judge entered an order dismissing the amended complaint without prejudice as a shotgun pleading and providing an opportunity to

amend the complaint. Complainant then filed another motion to appoint counsel, which the magistrate judge denied.

Complainant filed a second amended complaint in which she alleged that she and another individual were drugged and raped as part of a “military hazing/initiation,” and that she only began to recall aspects of the incident over 15 years later. The defendant filed a motion to dismiss. The Subject Judge granted the motion to dismiss the second amended complaint with prejudice on the grounds that it was a shotgun pleading and that her claims were barred by sovereign immunity, time-barred, and barred by the discretionary function exception. In reviewing the timeliness of Complainant’s complaint, the Subject Judge quoted a decision for the proposition that a plaintiff may not “bury her head in the sand” after being on notice that the government may have caused an injury. (Citation omitted). The Subject Judge also stated that Complainant must have known that she was injured in the days followed the alleged attack, her allegations reflected that days after the incident she experienced injuries that were consistent with rape, and even if she was suffering from trauma-induced Dissociative Amnesia as she claimed, “[a]mnnesia does not erase awareness of present injury.”

This Court affirmed in part, but vacated and remanded for the limited purpose of allowing the district court to dismiss two claims without, instead of with, prejudice. After the Subject Judge entered an order dismissing the claims without prejudice, Complainant filed a motion for leave to file a third amended complaint and a motion to reopen the case. The Subject Judge denied the

motions in part on the ground that the proposed third amended complaint failed to state a claim on which relief could be granted.

Complaint

Complainant states the Subject Judge's conduct was "inconsistent with judicial obligations of impartiality, dignity, legal competence, and respect for pro se litigants and trauma survivors," and she contends the Subject Judge's rulings reflected "improper dismissal of claims, disregard of binding precedent, inappropriate and demeaning language, and conduct suggesting hostility and bias towards me as a pro se trauma survivor." She states, "These actions go beyond ordinary legal error and raise serious concerns about judicial temperament, competence, and integrity."

Complainant complains the Subject Judge improperly dismissed two counts with prejudice when the claims should have been dismissed without prejudice. She states, "[g]iven [the Subject Judge's] experience, this was either willful disregard of clearly established law or a failure to perform basic judicial duties." Complainant contends the Subject Judge denied her timely motion to file a third amended complaint "without providing unbiased explanation or engaging with the substance of the proposed amendment." She states the "decision reflects a summary rejection of pro se rights and a lack of consideration for fair process."

Next, Complainant takes issue with the Subject Judge's statements that she had her "head in the sand" regarding her experience, that amnesia does not erase awareness of present injury, and that Complainant should have recognized that certain

symptoms were consistent with rape. Complainant alleges the statements were legally irrelevant, medically speculative, “deeply inappropriate and offense,” “demean[ed] the lived experience of trauma survivors,” “lacked the factual context and psychological clarity to understand them as injuries resulting from rape,” failed to account for trauma and dissociation, inappropriately assigned blame, were “gendered and insulting,” and reflected a “lack of sensitivity to how women experience and interpret bodily pain.” She states that “diagnosing or discrediting a plaintiff’s psychological condition from the bench — particularly in such a dismissive and accusatory tone — is a gross misuse of judicial authority. It also reflects a deep misunderstanding of trauma psychology and how dissociative disorders impact perception and reporting.”

Complainant alleges the Subject Judge showed bias and partiality toward the government throughout the proceedings, showed a lack of neutrality, adopted the government’s arguments “almost verbatim,” ignored factual distinctions, dismissed the entire case without recognizing that some claims had never been reviewed on the merits and that not all evidence was available, provided “minimal factual analysis or acknowledgment” of her specific allegations, rejected factually detailed claims as conclusory, failed to ensure access to justice for vulnerable plaintiffs, forced an unnecessary appeal, violated the Code of Conduct for United States Judges, caused her emotional and psychological distress, and undermined her trust in the fairness and neutrality of the federal courts. She attached documents to her Complaint.

Supplement

After she filed her Complaint, Complainant filed a “Victim Statement” in which she reiterates her allegations and describes “how [the Subject Judge’s] actions in my civil case caused me significant harm and further compounded the trauma at the heart of my claim.” She takes issue with the Subject Judge’s advisement to seek legal counsel and statement that it was not the court’s job to coach her, and she complains that her two motions to appoint counsel were denied. She objects to the Subject Judge’s “head in the sand” quotation as a personal attack that continues to traumatize her. Finally, she states, “This is about how a federal judge’s tone, dismissiveness, refusal to appoint counsel, and legally improper ruling inflicted lasting damage on someone who came to the court seeking justice.”

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 or otherwise not impartial, treated her in a demonstrably egregious and hostile manner, abused his authority, 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