

OCT 29 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90135 through 11-25-90137

ORDER

Before: ROSENBAUM, NEWSOM, and BRANCH, Circuit Judges; ALTONAGA 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 29 day of October, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

AUG. 13 2025

David J. Smith
Clerk

CONFIDENTIAL

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ORDER

An individual has filed a Complaint against two United States district judges and one United States magistrate 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 Complainant filed an employment-discrimination complaint against a company. After the Subject Magistrate Judge held a scheduling conference, Complainant filed an amended complaint and a motion for summary judgment. The Second Subject District Judge entered an order denying the summary-judgment motion as premature. This Court dismissed Complainant’s appeal for lack of jurisdiction.

The Subject Magistrate Judge then held two discovery hearings. Afterward, Complainant filed a “Motion to Object to Magistrate Order” in which he alleged that the discovery hearing was an “ambush,” that he was being harassed and intimidated at the courthouse, and that the Subject Magistrate Judge displayed irritation at the hearing. The Second Subject District Judge entered an order denying the motion and affirming the Subject Magistrate Judge’s decisions. The case remains pending.

The record also establishes that Complainant filed a “Motion to Subpoena” seeking certain video and audio footage, and the matter was docketed as a miscellaneous case. After a hearing, the First Subject District Judge entered an order stating that Complainant expressed at the hearing concerns about courthouse security, administrative, and record retention practices, stating the court was cognizant of those concerns, and denying the motion for a subpoena.

Complaint

Complainant alleges that the Subject Magistrate Judge had a clerk contact him about attending the discovery hearing and that he was harassed by court personnel when he sought to attend the hearing. He appears to request the assistance of the Subject District Judges to “stop harassment and intimidation in your building,” and he states he does not believe he can have a fair and safe hearing in the courthouse. He also takes issue with the actions of others, and he attached documents to his Complaint. In his attachments, he states, “It appears that the defendants and the courts are on the

record disrespecting the plaintiff,” he appears to take issue with discovery-related rulings, and he contends the Subject Magistrate Judge “displayed an expression of irritation” at a hearing.

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 Judges’ official actions, findings, rulings, and orders in the above-described cases, 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, treated him 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