

OCT 9 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-25-90150

ORDER

Before: ROSENBAUM, NEWSOM, and BRANCH, Circuit Judges; BAKER 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 9th day of October, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

AUG. 22 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 two supplements. The filing of the supplements 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 her Complaint "focuses solely" on this "factual misrepresentation." She states the Subject Judge dismissed the defendant while allowing the other defendant to remain in the case and that "[t]his inconsistent treatment reflects either carelessness or selective judgment." Complainant contends the Subject Judge failed to liberally construe her *pro se* pleadings, which raised a "serious concern" as to whether he read her filings or intentionally misrepresented the record to justify dismissal. Finally, she states the Subject Judge's order was "unjust" and "impaired [her] access to justice." She attached documents to her Complaint.

Supplements

In her first supplement, Complainant reiterates her allegation that the Subject Judge misrepresented that she failed to name a defendant, and she states the Subject Judge "had a clear chance to correct his false statement but chose not to." She contends that the

Subject Judge’s order denying her motion for reconsideration contained no explanation and contends that his refusal to correct his statement undermined trust in the courts. In her second supplement, Complainant again reiterates her allegations and states the Subject Judge “knowingly lied” in his order, obstructed her right to a fair proceeding, and violated her constitutional rights.

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, lied or made an intentional misrepresentation, 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