

DEC 4 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90174 through 11-25-90179

ORDER

Before: ROSENBAUM, 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 4th day of December, 2025.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

SEP 22 2025

David J. Smith
Clerk

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ORDER

An individual has filed a Complaint against one United States district judge, four United States magistrate judges, and one former 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 the Subject Judges have been assigned to multiple civil cases Complainant filed *pro se*. In one case, one of the Subject Judges granted Complainant's motion to proceed *in forma pauperis*, while in other cases, other Subject Judges denied him leave to proceed *in forma pauperis*.

Complaint

Complainant states he has “experienced inconsistent treatment of my motions to proceed in forma pauperis ... and irregularities with court notice systems.” He states that despite submitting substantially similar financial affidavits, some Subject Judges granted him *in forma pauperis* status while others did not. He contends that one of the Subject Magistrate Judges denied him *in forma pauperis* status without acknowledging his disabilities, and he alleges the Subject District Judge directed him “to amend in ways that, combined with the overall pattern, demonstrate unusual skepticism toward me as a pro se litigant.” Complainant states he failed to receive timely electronic notice of orders in a case, which impaired his ability to comply with deadlines. He states, “Collectively, these actions create the appearance of bias, arbitrary decision-making, and disregard of disability-related needs, which undermine access to justice for me as an indigent, disabled litigant.” He attached documents to his Complaint.

Discussion

1. Former Subject Judge

Judicial-Conduct Rule 11(e) states, “The chief judge may conclude a complaint proceeding in whole or in part upon determining that intervening events render some or all of the allegations moot or make remedial action impossible as to the subject judge.” The Commentary on Rule 11 states in part, “Rule 11(e) implements Section 352(b)(2) of the Act, which permits the chief judge to ‘conclude the proceeding,’ if ‘action on the complaint is no longer

necessary because of intervening events,’ such as a resignation from judicial office.”

The intervening event of the former Subject Judge’s retirement render the allegations moot or make remedial action impossible. Judicial-Conduct Rule 11(e). For that reason, this Complaint proceeding is **CONCLUDED** to the extent it concerns the former Subject Judge. The conclusion of this proceeding in no way implies that there is any merit to Complainant’s allegations against the former Subject Judge.

2. Remaining Subject Judges

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.

To the extent the Complaint concerns the remaining Subject Judges' official actions, findings, rulings, and orders in the Complainant's 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, were biased or otherwise not impartial, discriminated against him based on a disability, or otherwise engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). For these reasons, this Complaint is **DISMISSED** to the extent it concerns the remaining Subject Judges.

/s/ William H. Pryor Jr.
Chief Judge