

DEC 4 2025

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90200 and 11-25-90201

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

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David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90200 and 11-25-90201

ORDER

An individual has filed a Complaint against a United States magistrate judge and 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 Complainant filed in state court an employment-discrimination complaint against multiple defendants, and the defendants removed the case to federal court. Complainant later filed a second amended complaint, and the defendants filed a motion to dismiss. The Subject Magistrate Judge issued a report recommending that the defendants' motion be granted in part and denied in part. Over both parties' objections, the Subject District Judge adopted the report and recommendation. The parties then filed a Joint Preliminary Report and Discovery Plan in

which Complainant stated would be filing a third amended complaint after discovery.

After various proceedings, the defendants filed a motion for summary judgment on the remaining claims, and Complainant filed a motion for leave to file a third amended complaint. The Subject Magistrate Judge issued a report recommending that the defendants' motion for summary judgment be granted and that Complainant's motion for leave to amend be denied. With respect to the motion to amend, the Subject Magistrate Judge found that the motion was untimely because it was filed after the deadline stated in the Joint Preliminary Report and Discovery Plan. Complainant filed objections to the report and a motion to recuse the Subject Judges. The Subject District Judge entered an order adopting the report and recommendation and denying the motion to recuse.

Complaint

Complainant alleges there was an "[a]ppearance of partiality in dispositive rulings," and she complains that the court denied her leave to file a third amended complaint when the deadline was not expressly stated in the parties' Joint Preliminary Report and Discovery Plan. She asserts that the Subject Judges knew that she wanted to amend her complaint but "had zero intentions of allowing that to happen," "[i]t was all an elaborate coordinated effort between the judges and defense counsel, as usual based upon [her] extensive litigation history of losses" in the district court, and "[t]he case was fixed by a default technical dismissal that was planned in advance." She contends the "timing and framing of the analysis ...

creates the appearance that the court resolved close questions against the pro se litigant in a manner favorable to defendants.”

Complainant alleges the Subject Judges inconsistently applied standards to her as a pro se litigant, and she contends the Subject Judges’ actions reflected a “pattern of maximal strictness against” her and “minimal accommodation,” which “suggests a lack of even-handedness.” Complainant alleges the Subject Judges’ case-management decisions and rhetoric “cumulatively suggest bias or antagonism.” She complains that the Subject District Judge told her that she would not be able to amend her complaint during a conference about a discovery dispute.

Complainant alleges the Subject District Judge lied by stating the defendants were opposed to Complainant’s “amendment statements” in the Joint Preliminary Report. She contends that the “cumulative effect of these decisions and their timing (denial of amendment shortly after defendants moved for summary judgment; heavy reliance on illegal technical defaults to deem facts admitted) would lead a reasonable, fully informed observer to question impartiality.” She contends that the treatment she received undermined public confidence in the integrity of the judiciary.

Finally, Complainant states she is “concerned” that the Subject District Judge “may be influenced by a major law firm” because he used to be a partner at that firm and she “had many legal run-ins with that firm over the past decade.” She states, “If he took a bribe from [the firm], he may retire as soon as an investigation or inquiry takes place.” She attached documents to her Complaint.

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, reports, recommendations, and orders in the above-described case, 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, coordinated with the defendants, treated

her in a demonstrably egregious and hostile manner, accepted a bribe, 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