

OCT 21 2025

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-25-90207 and 11-25-90208

ORDER

An individual has filed a Complaint against a United States district judge and a 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 Complainant filed an amended employment-discrimination complaint against one defendant. The parties settled at a settlement conference before the Subject Magistrate Judge, and the Subject District Judge administratively closed the case. The defendant later filed a motion to enforce the settlement, and the case was reopened. A magistrate judge who is not the Subject Magistrate Judge issued a report recommending that the motion to enforce be granted, and the Subject District Judge

adopted the report and recommendation. This Court clerically dismissed Complainant's appeal for want of prosecution.

Afterward, the defendant filed a motion for an order to show cause why Complainant should not be held in contempt, and the Subject District Judge issued a show-cause order. The magistrate judge, who is not the Subject Magistrate Judge, then issued a report recommending that Complainant be held in civil contempt and that the case be dismissed with prejudice and without payment of the settlement by the defendant as a civil contempt sanction against Complainant. The Subject District Judge adopted the report and recommendation. Complainant filed two motions for relief, with the Subject District Judge denied. This Court clerically dismissed Complainant's appeal for want of prosecution.

Complaint

Complainant states his Complaint concerns "severe professional and ethical failures" that deprived him as a *pro se*, disabled plaintiff of "constitutional due process, right to counsel and notice, fair and impartial adjudication, and accommodations mandated under federal disability law." He states the Subject Judges "repeatedly failed to ensure compliance with procedural and constitutional protections despite explicit knowledge of my status and disabilities," "repeatedly ruled and sanctioned me without ensuring proper service or opportunity to respond," and "neglected their constitutional duty to provide due process, undermining fair adjudication." He also takes issue with the actions of other individuals.

Discussion

1. Former Subject Magistrate 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 Subject Magistrate 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 retired Subject Magistrate Judge. The conclusion of this proceeding in no way implies that there is any merit to Complainant’s allegations against the former Subject Magistrate Judge.

2. Subject District Judge

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 Subject District Judge, the Complaint fails to present a basis for a finding of misconduct. To the extent Complainant’s allegations concern the substance of the Subject District Judge’s official actions, findings, rulings, and orders in the above-described case, the allegations are directly related to the merits of the Subject District 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 District Judge was not impartial 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 Subject District Judge.

/s/ William H. Pryor Jr.
Chief Judge