

APR 17 2026

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint No. 11-26-90070

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.

Background

The record establishes that a federal grand jury returned a superseding indictment charging Complainant and multiple codefendants with various crimes. Complainant moved for a change of venue, which the Subject Judge denied. He also moved to represent himself. At a hearing on the motion, the Subject Judge stated, “as I understand the law, if you are convicted in the case ... I would have no discretion at sentencing other than to impose a life sentence” and “do you know and understand that ... if you were to be convicted of Count 1 and I sentenced you, mandatorily, to a life

sentence, that you would die in prison?” The Subject Judge granted Complainant’s motion to represent himself. At trial, a jury found Complainant of multiple crimes, and activity in the case continues.

Complaint

Complainant contends that the Subject Judge stated that an object in an image “could have been a gun,” which “reflect[ed] speculative reasoning favoring the prosecution, rather than neutral judicial analysis.” He contends that when he elected to proceed *pro se*, the Subject Judge stated that if he was convicted he would “die in prison,” which suggested prejudgment. Complainant alleges the Subject Judge forced him to proceed to trial “without access to subpoenaed evidence necessary for his defense.” He complains that the Subject Judge denied his motion for a change of venue despite “significant and prejudicial pretrial publicity within the local community.” He contends that the cumulative effect of the Subject Judge’s rulings called the fairness of the proceedings into question, created the appearance of bias and partiality, and violated his 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 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, was biased or otherwise not impartial, 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