

MAR 17 2026

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-26-90001 and 11-26-90002

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 17th day of March, 2026.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

JAN 28 2026

David J. Smith
Clerk

CONFIDENTIAL

Before the Chief Judge of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-26-90001 and 11-26-90002

ORDER

An entity has filed a Complaint against a United States district judge and a 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 an individual filed a “Petition for Habeas Corpus” that was docketed as a civil complaint against two defendants. The Subject District Judge entered an order directing the plaintiff to show cause as to why the case should not be dismissed for failure to pay the filing fee or move to proceed *in forma pauperis*. The plaintiff filed a response stating he filed a petition for writ of habeas corpus and paid the fee for that petition. The Subject District Judge then dismissed the plaintiff’s complaint without prejudice as a shotgun pleading, and the plaintiff filed an amended

complaint. The plaintiff also filed a “Motion for Judicial Notice of Controlling Habeas Authority ...,” which the Subject Magistrate Judge denied. The case remains pending.

Complaint

Complainant, which states it is a fiduciary for the plaintiff in the above-described case, alleges the Subject Judges failed to perform “non-discretionary, ministerial duties” required by statute, selectively and asymmetrically enforced procedures, and engaged in conduct that gave rise to an appearance of partiality and “alignment with custodial authority.” Complainant contends the Subject Judges “[a]cted swiftly and repeatedly to test, challenge, dismiss, and police the pleadings of the restrained person,” failed to issue an order to show cause on the opposing party as required by statute, “affirmatively participated in the continuation of restraint, undermining the purpose of habeas corpus and the integrity of judicial neutrality,” “ceased acting as neutral arbiters and instead became functionally aligned with the custodial authority,” and created “an appearance of partiality and institutional bias.”

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, 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, 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