

APR 3 2026

CIRCUIT EXECUTIVE

CONFIDENTIAL

Before the Judicial Council of the
Eleventh Judicial Circuit

Judicial Complaint Nos. 11-26-90012 and 11-26-90013

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 3rd day of April, 2026.

FOR THE JUDICIAL COUNCIL:

/s/ Robin S. Rosenbaum

United States Circuit Judge

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David J. Smith
Clerk

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Before the Chief Judge of the
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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 five *pro se* civil complaints that were assigned to the Subject Judges, and he moved to proceed *in forma pauperis* in each case. In one case, the Subject Magistrate Judge denied the *in forma pauperis* motion on the ground that Complainant failed to establish he was unable to pay the fees, and the order directed him to pay the filing fee by a certain date. The Subject District Judge later dismissed the case for failure to pay the fee. In another case, the Subject Magistrate Judge denied Complainant's *in forma pauperis* motion and directed him to pay the

filing fee or submit an *in forma pauperis* application answering all the questions. The Subject District Judge later dismissed the case for failure to comply with the order. In the three other cases, the Subject Magistrate Judge granted Complainant's *in forma pauperis* motions. The Subject District Judge later dismissed the actions for failure to state a claim.

Complaint

Complainant alleges the Subject Judges were biased and prejudiced, “engaged in procedural actions that demonstrated apparent prejudgment,” “treating the pro se litigant differently from represented parties by imposing heightened or non-standard procedural burdens not uniformly enforced,” abused their judicial authority, and “restricted filings, denied access, or imposed procedural conditions without identifying jurisdictional or rule-based authority.” He also alleges the Subject Judges “engaged in uneven and selective case administration,” were inconsistent in how quickly they ruled on motions, and engaged in “selective inaction,” which “resulted in record fragmentation, procedural uncertainty, and impairment of timely appellate review.” He asserts the Subject Judges “demonstrated a pattern of failing to comply with mandatory procedural requirements and controlling authority.”

Complainant contends that the Subject Magistrate Judge routinely required him to provide additional financial documents in support of his *in forma pauperis* motions and that the “imposition of these extra-statutory documentation requirements places an unlawful evidentiary burden on an indigent litigant.” He alleges that

the Subject District Judge dismissed his cases at the screening stage “without meaningful engagement with controlling authority cited in the pleadings or the obligation to construe pro se filings liberally,” contrary to binding precedent. He contends that, in other cases, the Subject District Judge ordered him to amend his complaint “despite no apparent legal deficiency.” He states that, taken together, the Subject Judges’ actions systematically prevent indigent litigants from advancing past the pleading stage and that the “cumulative effect is a de facto denial of access to the federal courts based on poverty rather than adjudication on the merits.”

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.

Furthermore, Judicial-Conduct Rule 4(b)(2) provides that cognizable misconduct does not include “an allegation about delay in rendering a decision or ruling, unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases.” The “Commentary on Rule 4” states that “a complaint of delay in a single case is excluded as 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 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, abused their authority, 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