

COMMITTEE ON JUDICIAL CONDUCT AND DISABILITY  
OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

---

C.C.D. No. 26-01

---

IN RE JUDICIAL COMPLAINT

---

PROCEEDING IN REVIEW OF THE ORDER AND MEMORANDUM  
OF THE JUDICIAL COUNCIL OF ELEVENTH CIRCUIT  
J.C. No. 11-25-90212

---

MEMORANDUM OF DECISION

---

(Filed May 22, 2026)

Present: Judges Timothy M. Tymkovich., Chair, John D. Bates, Patricia A. Gaughan,  
Phyllis J. Hamilton, M. Margaret McKeown, D. Brooks Smith, Carl E. Stewart.

**MEMORANDUM OF DECISION**

The Judicial Council of the Eleventh Circuit issued an Order on February 11, 2026, finding that the subject judge engaged in judicial misconduct by: (1) engaging in an extramarital affair with a high-ranking law enforcement officer and having sexual intercourse in the judge’s chambers during business hours within hearing distance of staff; (2) attending a partisan political event; and (3) making false statements to the Chief Circuit Judge and Chief District Judge that were material to the investigation of the allegations. The Committee on Judicial Conduct and Disability (JC&D Committee) now considers this matter pursuant to Rule 20(f) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings (JC&D Rules), which provides that “[i]f the complaint was identified under Rule 5 . . . the judicial council must transmit the order and memoranda incorporated by reference in the order to the Committee on Judicial Conduct and Disability for review in accordance with Rule 21.” Although the subject judge did not file a petition for review of the Judicial Council’s order, the Committee will review each of the

Eleventh Circuit Judicial Council’s findings and conclusions, and remedial action imposed, as required by Rule 20(f). *See also* Commentary on JC&D Rule 20 (“Because an identified complaint has no ‘complainant’ to petition for review, a judicial council’s dispositive order on an identified complaint on which a special committee has been appointed must be transmitted to the Committee on Judicial Conduct and Disability for review.”). For the reasons explained below, we affirm the Judicial Council’s order.

### **I. Procedural History**

On September 30, 2025, the Chief Circuit Judge of the Eleventh Circuit identified a complaint against the subject judge based on a memorandum received from the Chief District Judge of the subject judge’s court that suggested possible misconduct by the subject judge. The information in the Chief District Judge’s memorandum came from one of the subject judge’s law clerks. The law clerk reported that, on multiple occasions, the subject judge engaged in sexual activity with a uniformed law enforcement officer in chambers during work hours within earshot of the judge’s staff. The law clerk also reported that the subject judge failed to mentor the law clerks and edit their work, displayed visible anger to the law clerks, including yelling and cursing, and, on one occasion, told staff that the judge had “too many martinis the night before” at an event for a District Attorney.

On September 29, 2025, the Chief Circuit Judge notified the subject judge of the report made by the Chief District Judge and requested that the subject judge respond to the allegations in the Chief District Judge’s memo no later than October 20, 2025. Later the same day, the subject judge submitted a response that denied each allegation and characterized the allegations as “outrageous” and “baseless.” The subject judge appeared to be aware that a law clerk was the source of the allegations and implied that the law clerk made the allegations as a means of retaliating against the judge because the law clerk had been repeatedly chastised for performance

issues by the subject judge. The same day, the subject judge also sent an email to the Chief District Judge denying the allegations and denying that the subject judge knew the identity of the alleged visitor to chambers.

On September 30, 2025, after receiving the subject judge's response, the Chief Circuit Judge identified a complaint against the judge pursuant to JC&D Rule 5(a). The same day, the Chief Circuit Judge appointed a special committee to investigate the allegations in the complaint. The special committee subsequently retained experienced counsel to assist in conducting the investigation pursuant to JC&D Rule 13(c). The special committee conducted a thorough investigation that included interviewing six of the subject judge's former law clerks; gathering and reviewing relevant documents, emails, and text messages; reviewing security footage and visitor sign-in logs to determine whether a law enforcement officer had visited the subject judge's chambers on the dates the law clerk provided to the chief judge; conducting testing in a chambers with a similar layout to determine whether law clerks seated outside chambers could hear sounds from within; arranging forensic testing of a couch cushion in the subject judge's chambers; examining court records to determine whether the subject judge's relationship with the law enforcement officer might have given rise to a conflict of interest; and searching publicly available information concerning a campaign event held by the District Attorney.

The special committee issued its report on December 10, 2025. The special committee found that the subject judge engaged in judicial misconduct by: (1) engaging in an extramarital affair with a high-ranking law enforcement officer and having sexual intercourse in the judge's chambers during business hours; (2) attending a partisan political event; and (3) making false

statements to the Chief Circuit Judge and the Chief District Judge that were material to the investigation.<sup>1</sup>

As to the improper sexual activity in chambers, the special committee found that the subject judge engaged in the extramarital affair for approximately two years and, during that period, the law-enforcement officer was a high-ranking officer in a certain police department. On multiple occasions, during business hours, the subject judge and the police officer engaged in sexual intercourse in the subject judge's chambers within earshot of the subject judge's staff. Moreover, during the period in which the affair was ongoing, the police department was involved in numerous criminal and civil cases being litigated in the district. The subject judge did not disclose the affair to any other judge, member of court staff, or litigating party. Accordingly, the subject judge could have been assigned to handle a case in which the officer or the police department had an interest, which, in turn, would have created a conflict or the appearance of a conflict. Although the special committee did not find any instance of the subject judge presiding over a case in which either the officer or the police department was a party or a witness, the special committee found that this was due to "happenstance" rather than the subject judge's efforts to mitigate any potential conflict.

The special committee found that the subject judge's conduct surrounding the affair "demonstrated a gross lack of judgment" and created an environment in chambers that was uncomfortable and troubling for the subject judge's staff. Judicial Council Order at 15. Moreover, the special committee noted that the affair made the subject judge vulnerable to potential extortion or blackmail. The subject judge's conduct violated multiple provisions of the Code of Conduct for United States Judges (Code of Conduct), including Canon 2 ("[a] judge

---

<sup>1</sup> The special committee's investigation did not substantiate the allegations that the subject judge engaged in misconduct in the supervision or treatment of staff.

should avoid impropriety and the appearance of impropriety in all activities.”) and Canon 2(A) (“A judge should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.”)

As to the subject judge’s attendance at a partisan political event, the special committee found that the subject judge knowingly attended an event hosted by a district attorney’s campaign. Although the subject judge attended “for the purpose of reuniting with former colleagues, did not speak publicly, did not make any donation, and did not otherwise engage in political activity,” the purpose of the event was to promote the district attorney’s political campaign. Judicial Council Order at 17. Canon 5 of the Code of Conduct makes clear that a “judge should refrain from political activity.” A judge is expressly prohibited from attending “a dinner or other event sponsored by a political organization or candidate.” Canon 5(A)(1)(3). While the special committee found that the subject judge’s attendance at the event was a “one-time lapse in judgment and not part of a larger pattern of improper participation in partisan politics,” the subject judge’s attendance constituted misconduct. Judicial Council Order at 17.

As to the false statements made by the subject judge, the special committee found that the subject judge made numerous, material false statements to the Chief Circuit Judge and the Chief District Judge when initially responding to the allegations. Specifically, the subject judge denied engaging in sexual intercourse in the courthouse and denied knowing who the allegation concerned. The special committee found that the false statements violated Rule 4(a)(5) of the JC&D Rules (cognizable misconduct includes “refusing, without good cause shown, to cooperate in the investigation of a complaint.”) Failing to truthfully respond to the Chief Circuit Judge’s initial inquiry constituted failure to cooperate with the investigation and attempted to prevent both the Chief Circuit Judge and the Chief District Judge from learning of the subject judge’s misconduct. The special committee also found that the false statements violated the subject

judge's duty to report the judge's own misconduct to the relevant chief circuit or district judge under Rule 4(a)(6). Although the subject judge eventually recanted the false statements, the special committee found that this "does not absolve the judge of liability." Judicial Council Order at 18. By the time the subject judge recanted the false statements, the judiciary had expended considerable time and resources while investigating the allegations. Moreover, the special committee found that at the time the subject judge recanted the statements, it was highly likely that the subject judge knew that the first falsehood "had been or would soon be exposed." Judicial Council Order at 19.

On February 11, 2026, the Judicial Council issued an order adopting the special committee's findings and recommended sanctions. The special committee recommended that the Judicial Council issue the subject judge a private reprimand. The subject judge agreed not to oppose or challenge the sanction and additionally agreed to: (1) issue letters of apology to the six former law clerks interviewed during the special committee's investigation; (2) forego service as chief judge should the subject judge be otherwise eligible to serve as chief judge; and (3) indefinitely refrain from serving on any Judicial Conference committee. As to the recommended sanction, the special committee explained that it "carefully considered whether to recommend a more severe sanction, including a public reprimand." Judicial Council Order at 20. The special committee ultimately decided not to recommend a more severe sanction because: (1) the subject judge corrected the false statements and subsequently was candid with the special committee; (2) it was not likely that the subject judge would engage in similar misconduct in the future, as the subject judge ended the relationship with the law enforcement officer and has committed to avoid partisan political events in the future; and (3) the subject judge had otherwise rendered exemplary service to the court. The special committee explained that while it was "deeply troubled" by the subject judge's conduct, the subject judge "demonstrated a strong propensity for

rehabilitation and continued diligent service to the judiciary.” Judicial Council Order at 20. The special committee is of the view that the sanction reflects the seriousness of the misconduct “and provides solace to those harmed by that misconduct.” *Id.*

Pursuant to Rule 20(f), the subject judge was provided with a copy of the Judicial Council’s order and notified of the right to seek review of the order by filing a petition for review with the JC&D Committee. The Judicial Council’s order was forwarded to the JC&D Committee pursuant to Rule 20(f). Although the subject judge did not file a petition for review, the JC&D Committee has undertaken a review of the Judicial Council’s order, as it arises from a complaint identified by the Chief Circuit Judge, as required by Rule 20(f).

The JC&D Committee sent the subject judge a letter on February 17, 2026, explaining that the Committee would review the Eleventh Circuit Judicial Council’s conclusions, findings, and remedies, even if the subject judge did not file a petition for review, and that the subject judge could file a written statement with the Committee addressing these issues. The subject judge did not submit a written statement or file a petition for review.

## **II. Discussion**

We review circuit judicial council orders for errors of law, clear errors of fact, or abuse of discretion. Rule 21(a); see also *In re Complaint of Judicial Misconduct*, 747 F.3d 869, 872 (U.S. Jud. Conf. 2014) (finding that the circuit judicial council did not abuse its discretion); *In re Complaint of Judicial Misconduct*, 664 F.3d 332, 334–35 (U.S. Jud. Conf. 2011) (deferring to findings of circuit judicial council and overturning them only if clearly erroneous). Our review necessarily depends on the record before us and gives deference to the circuit judicial council’s consideration of the special committee’s review of the evidence. See *In re Decision of Judicial Conference Comm. on Judicial Conduct & Disability*, 517 F.3d 563, 569 (U.S. Jud. Conf. 2008)

("[W]e will defer to the findings of the Judicial Council and the special committee, and will overturn those findings only if, upon examination of the record, they are clearly erroneous.").

In light of our review for errors of law, clear errors of fact, or abuse of discretion, and in deference to the Circuit Judicial Council's consideration of the special committee's review of the evidence, we affirm the Circuit Judicial Council's unanimous decision concluding that the subject judge's actions constituted judicial misconduct. The special committee conducted a thorough investigation and afforded the subject judge all the process that was due under the JC&D Act and the Rules. Accordingly, we find no error of law or abuse of discretion in the special committee's investigatory process. And we conclude that the remedial measures ordered by the Judicial Council under 28 U.S.C. § 354(a)(2)(A) are appropriate and proportionate to the Judicial Council's findings in relation to the seriousness of the misconduct, balanced against the subject judge's correction of the prior false statements and subsequent candor with the special committee, the special committee's assessment that the subject judge is unlikely to engage in similar misconduct in the future, and the subject judge's otherwise exemplary service to the court.

### **III. Conclusion**

For the reasons above, we affirm the Eleventh Circuit Judicial Council's order.