

**JUDICIAL COUNCIL OF THE ELEVENTH CIRCUIT**

**NORMAN E. ZOLLER**  
Circuit Executive

56 Forsyth St., N.W.  
Atlanta, Georgia 30303  
(404) 331-5724

September 30, 1996


Mr. Lester Swartz  
Post Office Box 27-3225  
Boca Raton, Florida 33427-3225

Dear Mr. Swartz:

Re: Miscellaneous Case No. 94-1244

Enclosed is an Order of the Judicial Council on your petition for review of the order of August 23, 1995, making disposition of the judicial complaint filed by you on November 4, 1994, with the Judicial Council of the Eleventh Circuit. You are also hereby notified that the law provides for no further review of this decision. See 28 U.S.C.A. § 372(c)(10).

Sincerely,



Secretary to the  
Judicial Council

NEZ/sw

Enclosure

c: Members of the Judicial Council  
Mr. Miguel J. Cortez

JUDICIAL COUNCIL  
OF THE ELEVENTH CIRCUIT

No. 94-1244

FILED  
JUDICIAL COUNCIL  
OF THE  
ELEVENTH CIRCUIT

IN RE: COMPLAINT OF JUDICIAL  
MISCONDUCT OR DISABILITY BY:

SEP 30 1996

LESTER SWARTZ

CIRCUIT EXECUTIVE

ON PETITION FOR REVIEW

Before: KRAVITCH, ANDERSON, EDMONDSON, COX, BIRCH, DUBINA,  
and CARNES, Circuit Judges; THOMPSON, BUTLER, PAUL, and  
FITZPATRICK, Chief District Judges; and NELSON, DAVIS, and  
O'KELLEY, District Judges<sup>1</sup>.

Upon consideration of the complaint form and statement of  
facts, of all additional material filed herein, and of the order  
of Chief Judge Tjoflat dated August 23, 1995,

IT IS ORDERED THAT the disposition by Chief Judge Tjoflat is  
AFFIRMED.

FOR THE JUDICIAL COUNCIL<sup>2</sup>:

  
United States Circuit Judge

<sup>1</sup>Chief Circuit Judge Tjoflat, Circuit Judges Hatchett and  
Black, and Chief District Judges Edenfield and Kovachevich did  
not take part in the review of this petition.

<sup>2</sup>We act on this matter--which is uniquely circuit council  
business--in the light of an apparent necessity; no quorum can be  
obtained if all council members who have been complained against  
by Mr. Swartz were to recuse themselves. See Complaint of John  
Doe, 2 F.3d 308 (8th Cir. [Jud.C.] 1993).