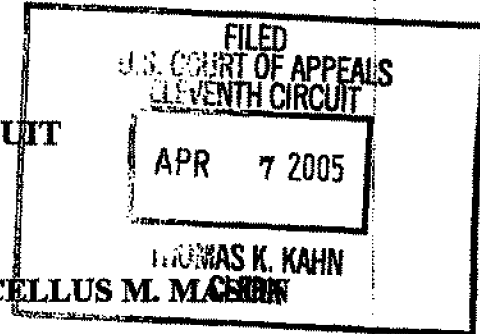


**CONFIDENTIAL  
BEFORE THE CHIEF JUDGE**

**OF THE ELEVENTH JUDICIAL CIRCUIT**

**Miscellaneous No. 05-0008**

**IN THE MATTER OF A COMPLAINT FILED BY MARCELLUS M. MASON**



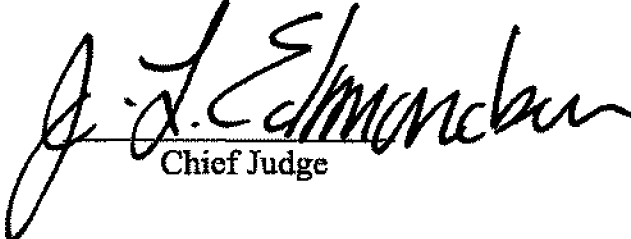
IN RE: The complaint of Marcellus M. Mason, against Donald L. Graham, United States District Judge for the United States District Court for the Southern District of Florida, under the Judicial Conduct and Disability Act of 1980, Chapter 16 of Title 28 U.S.C. § 351-364,

**ORDER**

Mr. Marcellus M. Mason filed this complaint against U.S. District Judge Donald L. Graham pursuant to Chapter 16 of Title 28 U.S.C. § 351(a) and Addendum III to the Rules of the Judicial Council of the Eleventh Circuit.

In this complaint, the single (unsupported) allegation that has not already been determined in previous complaints filed by Mr. Mason against Judge Graham is that Judge Graham *intentionally* falsified his March 31, 2001, Civil Justice Reform Act Report in an attempt to *conceal* the fact that he had not ruled on one of Mr. Mason's motions for over 15 months. Notwithstanding the fact that the motion in question was pending for more than six months, and the fact that the March 31, 2001 report is incorrect, Mr. Mason has not presented any information, evidence or documentation to support his claim to suggest that the omission of this motion on this CJRA report was an intentional attempt by Judge Graham to conceal his failure to rule on the motion.

The allegations of this Complaint are "frivolous", "successive", and "appropriate corrective action has been taken". Therefore, pursuant to Chapter 16 of Title 28 U.S.C. § 352 (b)(1)(ii) and Addendum III Rules 4 (b)(3) and (4) and 18(c) this Complaint is **DISMISSED**.

  
Chief Judge