

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

James Thomas Carlan v. Judge C. Ashley Royal

Carlan v. Royal · No. 5:25-cv-397 (MTT) · Decided November 21, 2025

SUMMARY

The United States District Court for the Middle District of Georgia denied pro se plaintiff James Thomas Carlan’s motion for recusal under 28 U.S.C. § 455. The court held that Carlan failed to comply with the affidavit requirement of 28 U.S.C. § 144 and that adverse rulings did not establish pervasive bias or prejudice.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Marc T. Treadwell
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	November 21, 2025
DOCKET	5:25-cv-397 (MTT)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for recusal under 28 U.S.C. §§ 144 and 455 after the court dismissed his complaint as frivolous based on judicial immunity.
STANDARD OF REVIEW	Recusal under 28 U.S.C. § 455 is evaluated under an objective standard: whether a fully informed, objective, disinterested lay observer would entertain a significant doubt about the judge's impartiality. A motion under 28 U.S.C. § 144 must also satisfy the statute's procedural affidavit requirements.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown.
PARTIES	James Thomas Carlan v. Judge C. Ashley Royal

TOPICS

- civil procedure
- constitutional law
- due process

PRACTICE AREAS

civil procedure

judicial disqualification and recusal

QUESTIONS PRESENTED

1. Whether recusal was required under 28 U.S.C. § 455 based on the court's and Judge Royal's prior adverse rulings against Carlan.
2. Whether Carlan could obtain recusal under 28 U.S.C. § 144 without filing the required sworn affidavit.
3. Whether Carlan's allegations of bias, even if procedurally sufficient, established pervasive bias or prejudice under § 144.

HOLDINGS

1. Recusal was not required because a reasonable, fully informed, disinterested observer would not entertain a significant doubt about the judge's impartiality based solely on the prior rulings identified by Carlan.
2. Carlan could not seek recusal under § 144 because he failed to file a proper affidavit stating the facts and reasons for his belief that bias or prejudice existed and attesting to those facts under penalty of perjury.
3. Even if the § 144 motion had been procedurally adequate, Carlan's allegations that the court and Judge Royal had issued adverse rulings did not establish pervasive bias or prejudice.

KEY QUOTATIONS

“Recusal is appropriate only if ‘an objective, disinterested, lay observer fully informed of the facts underlying the grounds on which recusal was sought would entertain a significant doubt about the judge’s impartiality.’”

“There is as much obligation for a judge not to recuse when there is no occasion for him to do so as there is for him to do so when there is.”

“Adverse rulings do not constitute pervasive bias.”

FACTUAL BACKGROUND

Carlan sought recusal of the court and Judge Royal based primarily on prior orders dismissing his cases under statutory or procedural authorities, including Federal Rule of Civil Procedure 12(b)(6). He characterized the prior rulings as demonstrating an ongoing pattern of bias against his constitutional arguments. He did not submit the sworn affidavit required by 28 U.S.C. § 144.

PROCEDURAL HISTORY

Carlan filed an action against Judge C. Ashley Royal. The court dismissed the complaint as frivolous under 28 U.S.C. § 1915(a), concluding that Judge Royal was entitled to judicial immunity. Carlan then moved for recusal, asserting that prior adverse rulings demonstrated bias. The district court denied the motion.

DISPOSITION

other

CASES CITED

- Williams v. Marshall, 319 F. App'x 764, 768-69 (11th Cir. 2008)
- United States v. Patti, 337 F.3d 1317, 1321 (11th Cir. 2003)
- Carter v. West Publ. Co., 1999 WL 994997, at *2 (11th Cir. 1999)
- Hinman v. Rogers, 831 F.2d 937, 939 (10th Cir. 1987)
- United States v. Greenough, 782 F.2d 1556, 1558 (11th Cir. 1986)
- Phillips v. Joint Legislative Committee, 637 F.2d 1014 (5th Cir. 1981) (Unit A)
- United States v. de la Fuente, 548 F.2d 528, 541 (5th Cir. 1977)
- Hamm v. Members of Board of Regents of State of Florida, 708 F.2d 647, 651 (11th Cir. 1983)

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