

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Janella Smart v. The Professional Group, a subsidiary of BELFOR

No. 4:25-cv-11833 (E.D. Mich. Jan. 30, 2025) · No. 4:25-cv-11833 · Decided January 30, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denies Janella Smart’s motions seeking recusal and disqualification of Magistrate Judge Anthony P. Patti under 28 U.S.C. §§ 144 and 455. The court concludes that the motions were untimely, procedurally deficient, and unsupported by evidence of personal or extrajudicial bias, emphasizing that adverse judicial rulings generally do not establish grounds for recusal.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Anthony P. Patti; F. Kay Behm
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	January 30, 2026
DOCKET	4:25-cv-11833
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved under 28 U.S.C. §§ 455(a) and 144 to recuse and disqualify the assigned magistrate judge. The magistrate judge denied both motions.
STANDARD OF REVIEW	Under 28 U.S.C. §§ 455(a) and 144, recusal and disqualification are evaluated under an objective standard: whether a reasonable person with knowledge of all the facts would question the judge's impartiality. A § 144 affidavit must be timely, sufficient, and based on facts showing personal bias or prejudice.
PRECEDENTIAL VALUE	unpublished district-court memorandum order; persuasive value only
PARTIES	Janella Smart v. The Professional Group, a subsidiary of BELFOR

TOPICS

civil procedure

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standard of review

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PRACTICE AREAS

civil procedure

judicial recusal

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QUESTIONS PRESENTED

1. Whether the magistrate judge was required to recuse under 28 U.S.C. § 455(a) because plaintiff disagreed with the court's rulings and alleged an appearance of bias.
2. Whether plaintiff's motion and declaration required disqualification under 28 U.S.C. § 144.
3. Whether plaintiff's § 144 motion was timely and procedurally sufficient.
4. Whether the filing of a judicial-conduct complaint under 28 U.S.C. § 351 required automatic recusal or a stay of proceedings.

HOLDINGS

1. Recusal was not required because plaintiff did not show that an objective, reasonable person with knowledge of all the circumstances would question the magistrate judge's impartiality.
2. Plaintiff's motion to disqualify was untimely because she waited to seek disqualification after learning of the alleged bias, invoked affirmative judicial action, and continued participating in proceedings.
3. The motion to disqualify failed independently because the declaration was directed solely at the presiding district judge rather than the magistrate judge whose disqualification plaintiff sought.
4. The filing of a judicial-conduct complaint under 28 U.S.C. § 351 does not automatically require recusal or a stay of proceedings before the challenged judge.

KEY QUOTATIONS

“rulings alone almost never constitute a valid basis for a bias or partiality motion.” (PageID.648-650)

“a party cannot force disqualification by attacking a judge and then claiming that these attacks must have caused the judge to be biased against [her].” (PageID.646-647)

“Plaintiff cannot force her case onto another judge solely because she is unhappy with her results or the scope of discovery.” (PageID.676)

FACTUAL BACKGROUND

Plaintiff challenged the magistrate judge's rulings concerning docket filings, discovery into medical and mental-health records, privacy concerns, and the handling of her motions and notices. She also filed a judicial-conduct complaint with the Sixth Circuit and argued that the timing and substance of the court's rulings demonstrated bias. The court found that plaintiff had continued to seek affirmative relief after learning of the alleged bias and that her allegations primarily reflected disagreement with judicial rulings rather than personal or extrajudicial prejudice.

PROCEDURAL HISTORY

Plaintiff filed a motion for recusal directed at both the district judge and magistrate judge, followed by a motion and declaration seeking disqualification of the magistrate judge. The district judge had previously denied the request to remove herself, denied a motion to vacate the reference, and overruled objections to prior orders. The magistrate judge concluded that the disqualification motion was untimely, procedurally deficient because the declaration was directed to the district judge, and meritless because the allegations concerned adverse judicial rulings rather than extrajudicial bias.

DISPOSITION

denied

CASES CITED

- In re Kozich, 534 B.R. 427, 429 (S.D. Fla. Bankr.)
- FDIC v. Sweeney, 136 F.3d 216, 219 (1st Cir. 1998)
- Marie v. American Red Cross, 771 F.3d 344, 366 (6th Cir. 2014)
- Chudasama v. Mazda Motor Corp., 123 F.3d 1353, 1368 n.37 (11th Cir. 1997)
- Roddy v. Grand Trunk Western Railroad, Inc., 395 F.3d 318, 322 (6th Cir. 2005)
- Maday v. Public Libraries of Saginaw, 480 F.3d 815, 821 (6th Cir. 2007)
- Weatherspoon v. J. Thibault, 2017 WL 1487685, at *1 (W.D. Mich. Apr. 26, 2017)
- Youn v. Track, Inc., 324 F.3d 409, 422-23 (6th Cir. 2003)
- Burley v. Gagacki, 834 F.3d 606, 616 (6th Cir. 2016)
- United States v. Adams, 722 F.3d 788, 837 (6th Cir. 2013)
- Taylor Acquisitions, LLC v. City of Taylor, 313 F. App'x 826, 838 (6th Cir. 2009)
- Lilley v. BTM Corp., 958 F.2d 746, 753 (6th Cir. 1992)
- Laird v. Tatum, 409 U.S. 824, 837 (1972)
- United States v. Grinnell Corp., 384 U.S. 563, 583 (1966)
- General Aviation, Inc. v. Cessna Aircraft Co., 915 F.2d 1038, 1043 (6th Cir. 1990)
- Bradley v. School Board of Richmond, 324 F. Supp. 439, 443 (E.D. Va. 1971)
- Duplan Corp. v. Deering Milliken, Inc., 400 F. Supp. 497, 509-10 n.52, 527 (D.S.C. 1975)
- In re Searches Conducted on March 5, 1980, 497 F. Supp. 1283, 1288 (E.D. Wis. 1980)
- In re Wyman, No. 24-1945, 2025 WL 3094139, at *8-9 (6th Cir. 2025)
- United States v. Angelus, 258 F. App'x 840, 842 (6th Cir. 2007)
- United States v. Hartsel, 199 F.3d 812, 820 (6th Cir. 1999)
- Hughes v. United States, 899 F.2d 1495, 1501 (6th Cir. 1990)
- Hall v. Burkett, 391 F. Supp. 237, 240 (W.D. Okla. 1975)
- In re Demjanjuk, 584 F. Supp. 1321, 1325 (N.D. Ohio 1984)

- *Twist v. United States Department of Justice*, 344 F. Supp. 2d 137, 142 (D.D.C. 2004), *aff'd*, 171 F. App'x 855 (D.C. Cir. 2005)
- *Browning v. Foltz*, 837 F.2d 276, 279 (6th Cir. 1988)
- *Mathews v. Eldridge*, 424 U.S. 319 (1976)
- *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950)
- *Koon v. United States*, 518 U.S. 81 (1996)
- *Hamer v. Neighborhood Housing Services of Chicago*, 583 U.S. 17 (2017)

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