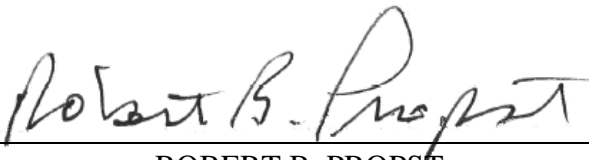




determining whether a defendant judge is immune from suit is whether at the time he took the challenged action he had jurisdiction over the subject matter before him. Because 'some of the most difficult and embarrassing questions which a judicial officer is called upon to consider and determine relate to his jurisdiction . . . ,' the scope of the judge's jurisdiction must be construed broadly where the issue is the immunity of the judge. A judge will not be deprived of immunity because the action he took was in error, was done maliciously, or was in excess of his authority; rather, he will be subject to liability only when he has acted in the 'clear absence of all jurisdiction.'

*Stump v. Sparkman*, 435 U.S. 349, 356-357 (1978) (quoting *Bradley*, 13 Wall. at 351 (1871)). Also see *Bolin v. Story*, 225 F.3d 1234 (11th Cir. 2000).<sup>1</sup>

This the 8th day of January, 2013.

  
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ROBERT B. PROPST  
SENIOR UNITED STATES DISTRICT JUDGE

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<sup>1</sup> This court does not rely upon the Eleventh Amendment argument of the defendant as such. It may also defeat plaintiffs' claim(s).