

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS

FILED

JUN 06 2016

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

Complaint Number: 05-16-90089

MEMORANDUM

Complainant, a *pro se* litigant, complains that the subject United States Circuit Judge violated his constitutional rights by denying a motion for a certificate of appealability “knowing [the state mental health facilities] murder me.”

The allegation relates directly to the merits of the judge’s decision, and is therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii).

Judicial misconduct proceedings are not a substitute for the normal appellate review process, nor may they be used to obtain reversal of a decision or a new trial.

An order dismissing the complaint is entered simultaneously herewith.



Carl E. Stewart

Chief Judge

June 1, 2016

AUG 23 2016

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

BEFORE THE JUDICIAL COUNCIL
OF THE FIFTH CIRCUIT

No. 05-16-90089

Petition for Review by [REDACTED],
of the Final Order Filed June 6, 2016
Dismissing Judicial Misconduct Complaint Against
[REDACTED]
Under the Judicial Improvements Act of 2002.


ORDER

An Appellate Review Panel of the Judicial Council for the Fifth Circuit has reviewed the above-captioned petition for review, and all the members of the Panel have voted to affirm the order of Chief Judge Stewart, filed June 6, 2016, dismissing the Complaint of [REDACTED], against [REDACTED], under the Judicial Improvements Act of 2002.

The Order is therefore

AFFIRMED.

8-16-2016
Date



Priscilla R. Owen
United States Circuit Judge
For the Judicial Council of the Fifth Circuit