

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

OCT 08 2019

FIFTH CIRCUIT
LYLE W. GAYNE, CLERK

Complaint Numbers: 05-19-90127 and 05-19-90128

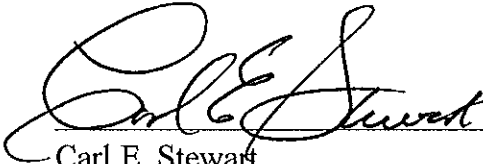
MEMORANDUM

Complainant, a pro se litigant, has filed a convoluted and barely intelligible judicial misconduct complaint in which he appears to allege the subject United States Magistrate Judge “did not evaluate and thoroughly read” his Opposition to the [Defendants’] Motion to Dismiss because she mischaracterized his claims and erroneously recommended that the court grant the defendants’ motion. He further claims the subject United States District Judge and the magistrate judge demonstrated bias against him, a pro se litigant, by failing to provide “information as to what I should have stated clearly better” in an amended complaint. Complainant also seems to complain the judge and the magistrate judge denied his motion to appoint counsel, failed to order the defendant-city to provide copies of its policies, and generally were biased in favor of the defendants.

To the extent that the allegations relate directly to the merits of the judge’s and the magistrate judge’s decisions or procedural rulings, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, any assertions of bias appear entirely derivative of the merits-related charges, but to the extent the allegations are separate, they are wholly unsupported, and are therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii).

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

 2019