

NOV 06 2019

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK**JUDICIAL COUNCIL  
FOR THE FIFTH CIRCUIT**

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Complaint Number: 05-20-90011

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**M E M O R A N D U M**

In a largely unintelligible complaint, complainant, a state prisoner, appears to complain that the subject United States District Judge engaged in “conspiracy to violate civil rights,” obstruct[ion] [of] justice,” “retaliation,” and “misprision [of] felony” by dismissing his lawsuit after he added her as a defendant in an amended complaint.

To the extent that the complaint relates directly to the merits of the judge’s decision, it is subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, the allegations of obstruction of justice and retaliation 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.

This is complainant’s fourth judicial misconduct complaint since April 2018 to be dismissed as merits-related and/or conclusory and/or frivolous, and he has been warned previously against filing a further merits-related, conclusory, frivolous, or repetitive complaint. Complainant’s right to file complaints is hereby SUSPENDED pursuant to Rule 10(a), Rules For Judicial-Conduct and Judicial-Disability Proceedings. Complainant may

show cause, through a petition for review submitted pursuant to Rule 18, why his right to file further complaints should not be so limited.

An order dismissing the complaint is entered simultaneously herewith.



Priscilla R. Owen  
Chief United States Circuit Judge

NOVEMBER 7, 2019