

FILED

February 5, 2021

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-21-90029 and 05-21-90030

MEMORANDUM

Complainant, a state prisoner, complains that neither the subject United States District Judge nor the subject United States Magistrate Judge have ordered the defendants to answer his 42 U.S.C. § 1983 claims which, he protests, “ha[ve] been pending for well over a year.”

A review of the docket shows that complainant filed the lawsuit in October 2019, and preliminary matters were referred to the magistrate judge who entered orders in November 2019 and in February, June, and September 2020. The matter appears to be proceeding normally.

As provided by Rule 4(b)(2) of the Rules For Judicial-Conduct and Judicial-Disability Proceedings, an allegation about mere delay in rendering a decision is not evidence of judicial misconduct. The complaint is therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii).

An order dismissing the complaint is entered simultaneously herewith.



Priscilla R. Owen
Chief United States Circuit Judge

February 4, 2021