

FILED

January 10, 2022

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-22-90008

MEMORANDUM

Complainant, a state prisoner, states that when the Fifth Circuit Clerk returned his original Notice of Appeal (“NOA”) because it was erroneously filed in the appellate court, he realized that the NOA docketed in the district court had been “completely defaced by” the subject United States District Judge “so that it was impossible to read, because it complained about [him].” Complainant protests that “the defacing of official court documents is a crime,” and he asserts that the judge has thereby “join[ed] a long line of corrupt Republican Party judges covering-up for their Party’s Racketeering.”

Complainant has not identified the “defaced” portion of the first page of the NOA docketed in the district court on June 16, 2021. A review of the document shows that the first page is not “impossible to read” and, indeed, the sentence “complaining” about the judge begins at the bottom of the page and continues at the top of the second page.

Nevertheless, because complainant has not provided the first page of the original NOA returned to him by the Fifth Circuit Clerk, it is not possible to compare that document with the NOA that was ultimately docketed in the district court, and the complaint is therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii) as “lacking sufficient evidence to raise an inference that misconduct has occurred.”

An order dismissing the complaint is entered simultaneously herewith.



Priscilla R. Owen
Chief United States Circuit Judge

January 5, 2022

FILED

February 4, 2022

Lyle W. Cayce
Clerk

Before the Judicial Council of the Fifth Circuit

Complaint Number: 05-22-90008

The Petition for Review by [REDACTED] 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 Priscilla R. Owen, filed January 10, 2022, dismissing the Complaint against [REDACTED] under the Judicial Improvements Act of 2002.

The Order is therefore **AFFIRMED**.

Feb. 3, 2022

Date

Jennifer W. Elrod

Jennifer W. Elrod

United States Circuit Judge

For the Judicial Council of the Fifth Circuit