

FILED

January 3, 2024

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-23-90037 through 05-23-90039


MEMORANDUM

Complainant, a state prisoner, alleges misconduct by the subject United States District Judge and two subject United States Magistrate Judges in a pending 42 U.S.C. § 1983 matter.

Complainant complains about undue delay in screening his § 1983 complaint under 28 U.S.C. § 1915A.

Pursuant to Rule 4(b)(2) of the Rules For Judicial-Conduct and Judicial-Disability Proceedings, an allegation about delay in rendering a decision or ruling is not cognizable misconduct “unless the allegation concerns an improper motive or habitual delay in a significant number of unrelated cases.” As complainant does not allege either an improper motive or habitual delay, the complaint is subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii).

An order dismissing the complaint is entered simultaneously herewith.



Priscilla Richman
Chief United States Circuit Judge

December 26, 2023