

FILED

January 9, 2024

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-23-90104

MEMORANDUM

Complainant, a state prisoner, has filed a largely unintelligible complaint alleging misconduct by the subject United States District Judge in complainant's 42 U.S.C. § 1983 proceeding.


Complainant appears to allege that the judge "most probabl[y] kn[ew]" about the defendants' and/or other prison personnel's (purported) misconduct and protected them by denying "me relief every time I sent the docket proof and request [sic] to refer charges to a US attorney." Referring to the denials of several pro se motions, complainant further alleges that his court-appointed counsel and the judge "us[ed] deception, negligence, malpractice, to keep me from help to prevent future and civil rights violations." He also protests that the judge "has allowed to enable my psyche to change in a regressive way due to the level of mind game and intensity of the naturally selected environment to try to break me and illegally [illegible word] me on trumped up propaganda."

To the extent that these allegations relate directly to the merits of decisions or procedural rulings, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). Any assertions of bias, improper motive, and conspiracy appear entirely derivative of the merits-related charges. However, 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) as “lacking sufficient evidence to raise an inference that misconduct has occurred.”

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.



Priscilla Richman

Chief United States Circuit Judge

December 29, 2023