

Judicial Council for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

January 19, 2024

Lyle W. Cayce
Clerk

Complaint Numbers: 05-24-90025 through 05-24-90027

MEMORANDUM

Complainant, a pro se litigant, has filed a complaint alleging misconduct by the three subject United States Magistrate Judges in three separate 42 U.S.C. § 1983 proceedings.

Complainant recounts that after Magistrate Judge A allegedly illegally transferred Case 1 to a district court in another jurisdiction and illegally “modified” the docket, his “trust in the honesty and moral integrity of magistrate judges in [the relevant district court] went to total absolute zero.” He reports that he “purposely” specified “Jurisdiction: Federal Question” when filing Case 2 and Case 3 “to test the court’s adherence to the Judicial Code of Conduct [sic].”

Complainant asserts that “as expected,” Magistrate Judges B and C engaged in “RICO-type Federal Criminal Felony illegal targeting of [him]” by “treating . . . the cases as “diversity of jurisdiction” cases” and improperly transferring them to the district court in another jurisdiction “where [I have] no contact with that state.” He submits that these decisions demonstrate that Magistrate Judges B and C “were criminally subservient to [Magistrate Judge A’s] every word” and “illegally and slavishly committed the same exact felony crimes.” He concludes that the three magistrate judges engaged in “judicial tyrannical targeting cooperation” to “purposely,

consciously, and illegally . . . deny multiple U.S. Constitutional Rights of [an] “American Citizen” Cherokee Indian.”

To the extent that the 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). In other respects, any assertions of conspiracy or other improper motive 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) 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
Priscilla Richman
Chief United States Circuit Judge

January 9, 2024

FILED

February 28, 2024

Lyle W. Cayce
Clerk

**Before the Judicial Council
of the Fifth Circuit**

Complaint Numbers: 05-24-90025 through 05-24-90027

Petition for Review by [REDACTED]
Regarding Complaint of Misconduct and/or Disability Against

[REDACTED]

Under the Judicial Improvements Act of 2002, 28 U.S.C. §§ 351-364.

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 Richman, filed January 19, 2024, dismissing the Complaint of [REDACTED] against [REDACTED]

[REDACTED]
under the Judicial Improvements Act of 2002.

The Order is therefore **AFFIRMED**.

02-22-2024
Date

Jennifer W. Elrod
Jennifer W. Elrod
United States Circuit Judge
For the Judicial Council of the Fifth Circuit