

**FILED**

January 19, 2024

Lyle W. Cayce  
Clerk

# Judicial Council for the Fifth Circuit

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Complaint Number: 05-24-90031

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## MEMORANDUM

Complainant, a federal prisoner, alleges misconduct by the subject United States Magistrate Judge in two proceedings.

### *Case 1*

Complainant, who was the subject of an arrest warrant issued in August 2015 in a United States District Court in another jurisdiction, complains that the magistrate judge “unlawfully issued” a “Barebones [search] warrant . . . [that] ha[d] nothing to do with the any crime” in another state. She further protests that the warrant was “used to take the vehicles, jewelry, and cars from my home on August 31, 2015,” and she states she is “convinced” that the magistrate “was paid under the table and the warrant used to steal my properties.”

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). In other respects, any assertion of bribery appears entirely derivative of the merits-related charges, but to the extent the allegation is separate, it is wholly unsupported, and is 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.”

*Case 2*

Complainant repeats the following allegations made, and dismissed, in a prior complaint:

- Instead of stopping an Initial Appearance proceeding to afford complainant an opportunity to obtain counsel, the magistrate judge continued with the “hearing violating [my] Sixth Amendment Right to an Attorney” and failed to explain “what a 5.1 hearing was.”
- The magistrate judge colluded with unspecified individuals “to steal [my] assets that has [sic] nothing to do with any crime” and “agreed to divide my properties among the courts.” In support of this claim, complainant points to Delinquent Notices—mailed to the address of the federal courthouse where the magistrate judge works—regarding overdue taxes on properties that were subject to forfeiture in the related criminal proceeding. Complainant asserts that the notices constitute evidence that the magistrate judge “received a piece of theft from the Government.”
- The magistrate judge has “continue[d] to cover up and get away with this corruption ... and racial disparity and racial discrimination.”

These repetitive allegations are subject to dismissal as frivolous under 28 U.S.C. § 352(b)(1)(A)(iii).

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.

The filing of repetitive allegations is an abuse of the complaint procedure. Complainant is WARNED that should she file a further merits-related, conclusory, frivolous, or repetitive complaint, her right to file complaints may be suspended and, unless she is able to show cause why she should not be barred from filing future complaints, the suspension will

continue indefinitely. *See* Rule 10(a), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

An order dismissing the complaint is entered simultaneously herewith.

A handwritten signature in cursive script that reads "Priscilla Richman".

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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

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Complaint Number: 05-24-90031

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.

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## 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] 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