

FILED

October 1, 2024

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-24-90107

MEMORANDUM

Complainant, a state prisoner, has filed a complaint alleging misconduct by the subject United States Magistrate Judge in a pending 42 U.S.C. § 1983 proceeding. Complainant complains that the magistrate judge “appointed a[n] unsolicited attorney” to represent him and denied his motions to dismiss the attorney and to permit him to proceed pro se. He further complains that “negotiations for settlement have been denied because [the magistrate judge] won’t allow my own filings and won’t enforce attorney consultation at all . . . and I’ve not been allowed discovery.”

The complaint relates directly to the merits of decisions or procedural rulings and is therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii).

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

October 1, 2024