

**FILED**

December 9, 2024

Lyle W. Cayce  
Clerk

# Judicial Council for the Fifth Circuit

---

Complaint Number: 05-25-90007

---

## MEMORANDUM

Complainant, a state prisoner, has filed a complaint alleging misconduct by the subject United States Magistrate Judge in a 28 U.S.C. § 2254 proceeding.

Complainant alleges that the magistrate judge erroneously, improperly, and intentionally transferred his motion for reconsideration to the Fifth Circuit for consideration pursuant to 28 U.S.C. § 2244(3)(A) to “circumvent my case in order to keep my case from being heard” because the magistrate judge’s “colleagues/friends are caught and he’s covering up for them.” Complainant further alleges that the magistrate judge’s decision constitutes evidence of “the corrupting of the judicial process,” “intentional violation of oath of office, laws & my U.S. Constitutional rights,” and “a crime.”

To the extent that these allegations relate directly to the merits of decisions and procedural rulings, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, any assertion of improper motive appears entirely derivative of the merits-related charges, but to the extent the allegation is separate, it is wholly unsupported, and is 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.”



**FILED**

March 17, 2025

Lyle W. Cayce  
Clerk

**Judicial Council  
for the Fifth Circuit**

---

Complaint Number: 05-25-90007

---

IN RE COMPLAINT OF [REDACTED] AGAINST [REDACTED]  
[REDACTED]  
[REDACTED]

UNDER THE JUDICIAL IMPROVEMENTS ACT OF 2002.

---

**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 Jennifer Walker Elrod, filed December 6, 2024, dismissing the Complaint of [REDACTED] against [REDACTED] under the Judicial Improvements Act of 2002.

The Order is therefore **AFFIRMED**.

3-14-2025  
DATE

Catharina Haynes  
Catharina Haynes  
United States Circuit Judge  
For the Judicial Council of the Fifth Circuit