

FILED

March 31, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-25-90027
through 05-25-90032

IN RE COMPLAINT OF JUDICIAL MISCONDUCT
UNDER THE JUDICIAL IMPROVEMENTS ACT OF 2002.

ORDER AND MEMORANDUM OF REASONS

Complainant, a federal prisoner, has filed a complaint alleging misconduct by the six subject United States Circuit Judges in his direct criminal appeal.¹ Pursuant to Rule 25(f) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, consideration of this matter has been assigned to me.

Complainant alleges that the judges “fail[ed] to insure [sic] that the district court as well as the appellate court had jurisdiction, as required by law, the Supreme Court, and the 5th Circuit Court of Appeals. Assuming jurisdiction where none exists is not only an unconstitutional usurpation of power, but is a failure of their duties, as well as depriving me of lawful and Constitutional rights, thus encroaching on several criminal statutes.”


These allegations relate directly to the merits of decisions and procedural rulings and are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). Any assertion of improper motive is wholly unsupported and is therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii) as

¹ Three of the subject judges served on the merits panel and the other three served on the motions panel.

“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.



Edith H. Jones
Circuit Judge