

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS
FILED
JAN 11 2016
FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

Docket Number: 05-16-90018

MEMORANDUM

Complainant, a pro se litigant and a former state prisoner, has filed a rambling and largely unintelligible judicial misconduct complaint against the subject United States District Judge. Complainant asserts that the judge “ha[d] no discretion to refuse to vacate” void state court judgments, erroneously relied on void sanctions imposed by the federal courts to deny complainant permission to proceed, and “without any discussion nor evidence in support of her opinion ... went on to declare that the merits of my petition were *frivolous*”. Complainant concludes that the judge’s erroneous and improper decisions demonstrate that she either “acted willfully ... or she is really just no longer competent to hold her office anymore.”

To the extent that the allegations relate directly to the merits of the judge’s decisions, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, the allegations are patently frivolous, and are therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii).

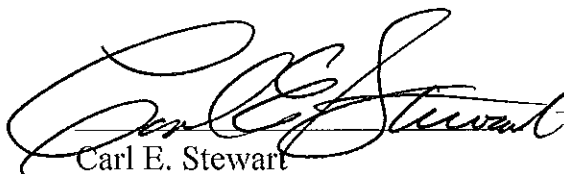
Judicial misconduct proceedings are not a substitute for the normal appellate review process, nor may they be used to obtain reversal of a decision or a new trial.

This is complainant’s third merits-related judicial misconduct complaint. Complainant is WARNED that should he file a further merits-related or frivolous complaint, his right to file complaints may be suspended and, unless he is able to show

cause why he should not be barred from filing future complaints, the suspension will continue indefinitely. See Rule 10(a), Rules For Judicial-Conduct or Judicial-Disability Proceedings.

An order dismissing the complaint is entered simultaneously herewith.

~~December 31~~
~~November 6~~, 2015


Carl E. Stewart
Chief Judge