

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS
FILED

JUN 27 2019

Docket Numbers: 05-19-90116 through 05-19- 90124

FIFTH CIRCUIT
LYLE W. GAYCE, CLERK


MEMORANDUM

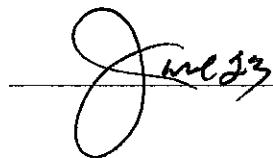
Complainant, a pro se litigant, alleges that the five subject United States District Judges and four subject United States Magistrate Judges unfairly reviewed his litigation history in the federal courts, and improperly cited a pre-filing injunction unjustly imposed by a United States District Court in another jurisdiction, to justify imposing sanctions against him in their courts. Complainant further complains that “[i]n 2018, [one of the judges] told me “You can't sue [a federal agency], just bring new defendants.” There has been no investigation, hearing, or trial, ever.” Without presenting any evidence other than the adverse rulings, complainant states that he “believe[s] the Defendants” in the underlying cases “are in contact with these judges and are requesting that they do this.”

To the extent that the allegations relate directly to the merits of the judges' and the magistrate judges' decisions, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, any assertion of ex parte communication appears entirely derivative of the merits-related charges but, to the extent that it is separate, it is wholly unsupported, and is 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.

An order dismissing the complaint is entered simultaneously herewith.


Carl E. Stewart
Chief Judge

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FIFTH CIRCUIT
LYLE W. GAYNE, CLERK

BEFORE THE JUDICIAL COUNCIL
OF THE FIFTH CIRCUIT

No. 05-19-90116 through 05-19-90124
Petition for Review by [REDACTED]
of the Final Order Filed June 27, 2019,
Dismissing Judicial Misconduct Complaint

Against [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 Carl E. Stewart, filed June 27, 2019, dismissing the Complaint of [REDACTED] against [REDACTED]

under the Judicial Improvements Act of 2002.

The Order is therefore

AFFIRMED.

November 4, 2019
Date

Jennifer W. Elrod
Jennifer W. Elrod
United States Circuit Judge
For the Judicial Council of the Fifth Circuit