

IN THE UNITED STATES COURT OF APPEALS U. S. COURT OF APPEALS
FOR THE FIFTH CIRCUIT **FILED**

JAN 08 2016

Docket Number: 05-15-90128

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

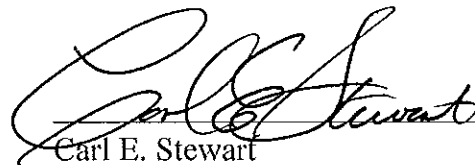
MEMORANDUM

Complainant, a state prisoner, alleges that the subject United States District Judge's failure to rule on his objection to a second motion for an extension of time to file a response to complainant's habeas petition (a pleading filed twelve days after that motion was granted), and failure to rule on complainant's objection to the order granting the motion, are evidence of "abusive and intimidating treatment" of a *pro se* litigant. Complainant further contends that the judge's granting of the second motion was erroneous and biased.

To the extent that the allegations relate directly to the judge's decisions, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, such conclusory assertions of "bias" and "abusive and intimidating treatment" of a *pro se* litigant are 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.

~~December 31~~
~~September 30~~, 2015


Carl E. Stewart
Chief Judge