

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS
FILED
NOV 02 2016

Complaint Number: 05-16-90121

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

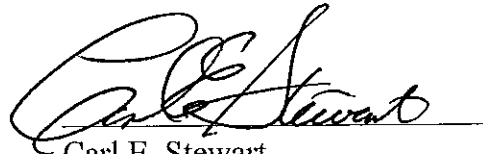
MEMORANDUM

Complainant, a *pro se* litigant, complains that by granting the defendant's motion to dismiss for lack of jurisdiction, the subject United States District Judge deprived him of a jury trial. He further alleges that the judge "signed up paper/order/judgment prepared by Defendant against me," and submits that this is evidence of a "plot and conspiracy with defendant, that is a felony and fraud-federal crimes." Complainant also contends that the dismissal of the lawsuit indicates that the judge "has some mental or physical problems, or forgot or does [sic] now [sic] our law ... ignor [sic] of laws, has bad behavior, has no morality."

To the extent that these allegations relate directly to the merits of the judge's decision, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, such conclusory assertions of conspiracy and of disability are insufficient to support a finding of judicial misconduct or disability, and 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.



Carl E. Stewart
Chief Judge

August 29, 2016