

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS

FILED

NOV 02 2016

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

---

Complaint Numbers: 05-16-90130 through 05-16-90132

---

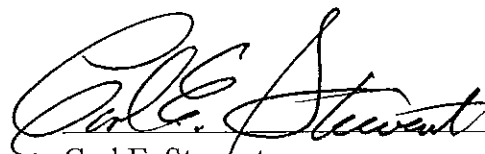
MEMORANDUM

Complainants, mother and daughter *pro se* litigants, complain that the three subject United States Circuit Judges misconstrued, and denied, their “emergency motion due to fraud upon the court” as a “motion to vacate the judgment of the district court and for other extraordinary relief.” Even though the judges have issued no rulings regarding deficiencies—as identified by the Clerk—in complainants’ brief, they further allege that the judges knew that *pro se* litigants are subject to less stringent standards for briefing and filing the record. Complainants submit that the judges have: obstructed justice; conspired with the clerk to violate their civil rights; engaged in racketeering, extortion and mail fraud; acted vindictively “because [complainants] is [sic] liberty group leader”; and “corrupted the judicial systems by violating the basic right to equality before the law but [sic] deny procedural rights guaranteed by the United States Constitution.”

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

An order dismissing the complaint is entered simultaneously herewith.



Carl E. Stewart  
Chief Judge

September 12, 2016