

OCT 24 2016

**FIFTH CIRCUIT
LYLE W. CAYCE, CLERK**

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Complaint Numbers: 05-17-90003 through 05-17-90005

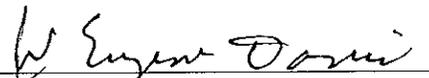
MEMORANDUM

Complainant, a federal prisoner, complains that “in direct and blatant violation of well-established U.S. Supreme Court and published Fifth Circuit precedents,” the three subject United States Circuit Judges “illegally” used complainant’s “immunized statements against him to deny him relief.”

The allegation relates directly to the merits of the judges’ decision, and is therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii).

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.


W. Eugene Davis
Circuit Judge

10/20, 2016

DEC 28 2016

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

BEFORE THE JUDICIAL COUNCIL
OF THE FIFTH CIRCUIT

No. 05-17-90003 through 05-17-90005
Petition for Review by [REDACTED]
of the Final Order Filed October 24, 2016
Dismissing Judicial Misconduct Complaint Against

[REDACTED] and
[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 Judge W. Eugene Davis, filed October 24, 2016, dismissing the Complaint of [REDACTED], against [REDACTED] and [REDACTED] under the Judicial Improvements Act of 2002.

The Order is therefore

AFFIRMED.

12-22-2016
Date

Priscilla R. Owen
Priscilla R. Owen
United States Circuit Judge
For the Judicial Council of the Fifth Circuit