

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Docket Number: 05-17-90101

U. S. COURT OF APPEALS
FILED
OCT 17 2017
FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

MEMORANDUM

Complainant, a state prisoner, complains that the subject United States District Judge is “purposefully and intentionally closing many prisoner lawsuits administratively.” In support of this claim, complainant points to the judge’s decision in a lawsuit filed by a fellow inmate.


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

Complainant further alleges that his pending lawsuit “is just sitting on the [judge’s] docket.”

A review of the docket shows that there is no evidence of delay, intentional or otherwise, and this entirely frivolous allegation 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

October 11, 2017