

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS

FILED

JAN 16 2019

FIFTH CIRCUIT
LYLE W. GAYCE, CLERK

Docket Number: 05-18-90087

MEMORANDUM


Complainant, a *pro se* litigant, complains that the subject United States District Judge has dismissed all of complainant's cases assigned to his docket since April 2004. Complainant further protests the judge "labeled me as filing frivolous cases," and denied his motions to proceed in forma pauperis despite complainant's filing "affidavits ... with disability wage statements and all bills attached thereto."

To the extent that complainant repeats allegations raised and dismissed in prior judicial misconduct complaint proceedings, they are subject to dismissal as frivolous under 28 U.S.C. § 352(b)(1)(A)(iii). In other respects, his allegations about rulings in a 2005 case relate directly to the merits of the judge's decisions and are 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.

 2018


Carl E. Stewart
Chief Judge

MAR 15 2019

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

BEFORE THE JUDICIAL COUNCIL
OF THE FIFTH CIRCUIT

No. 05-18-90087
Petition for Review by [REDACTED]
of the Final Order Filed January 16, 2019,
Dismissing Judicial Misconduct Complaint
Against [REDACTED]
Under the Judicial Improvements Act of 2002.

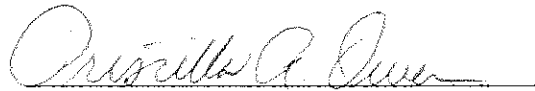
ORDER

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 Chief Judge Carl E. Stewart, filed January 16, 2019, dismissing the Complaint of [REDACTED] against [REDACTED] Northern District of Texas, under the Judicial Improvements Act of 2002.

The Order is therefore

AFFIRMED.

3-13-2019
Date


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