

JUN 27 2019

FIFTH CIRCUIT  
LYLE W. GAYCE, CLERK

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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Complaint Numbers: 05-19-90125 and 05-19-90126

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MEMORANDUM

Complainant, a pro se litigant, has filed judicial misconduct complaints against a United States Circuit Judge (Judge A) and a United States District Judge (Judge B). Judge B presided over three cases in which complainant's now-deceased mother was a plaintiff. Then-District Judge A briefly presided over one of those cases, but reassigned it to Judge B because the subject matter of the case was related to another of Judge B's cases. Complainant's mother was also a plaintiff in a fourth case, presided over by a different United States District Judge.

Complainant complains that Judge B "infringe[d] on the guaranteed protected rights of plaintiffs, violated their civil liberties and civil rights to vindicate their reputation and name . . ." and that he was biased against the complainant's family and complicit in the "criminal activities of the defendants." As evidence, complainant offers numerous examples of decisions by Judge B with which he disagrees.

Complainant also complains that Judge A transferred one of the cases to Judge B when he should have transferred it to a different judge.

The allegations against both judges are directly related to the merits of decisions or procedural rulings and are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). To the extent complainant claims that Judge B's motivations for making his decisions were improper, the allegations are conclusory 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

July 23, 2019