

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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Complaint Number: 05-19-90150

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U. S. COURT OF APPEALS  
FILED

OCT 08 2019

FIFTH CIRCUIT  
LYLE W. GAYE, CLERK

MEMORANDUM

Complainant, a state prisoner, complains that he “did not give consent to” the subject United States Magistrate Judge “to transfer my case.”

To the extent that complainant is alleging that the magistrate judge—to whom the presiding judge referred preliminary matters pursuant to 28 U.S.C. § 636(b)(1)(A)—lacked jurisdiction to issue a non-dispositive order, the allegation is subject to dismissal as frivolous under 28 U.S.C. § 352(b)(1)(A)(iii). To the extent, if any, that the allegation relates directly to the merits of the magistrate judge’s order, it is 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.

September, 2019

  
Carl E. Stewart  
Chief Judge