

FILED

May 7, 2020

Lyle W. Cayce
Clerk

**JUDICIAL COUNCIL
FOR THE FIFTH CIRCUIT**

Complaint Number: 05-20-90062

M E M O R A N D U M

Complainant, a pro se litigant, has filed a barely intelligible complaint alleging misconduct by the subject United States District Judge in three separate civil proceedings.

Complainant seems to complain that despite her advising the court that a particular party was not a named defendant in Case A, the judge “prejudiced my case” by misconstruing the advice as a notice of voluntary dismissal of her claims against the party and dismissing those claims without prejudice. She appears to further allege that the judge’s dismissal of her claims in Case B was nonsensical and malicious, and his decision to enter a pre-filing injunction against her was prejudicial. She also objects that the judge denied her due process by “suppress[ing] all evidence of my doctor’s notes and employment records of how my injuries had occurred in [Case B and Case C], including the subpoena of records.”

Complainant concludes that the judge is “full of corruption, bias, and also incompetence and maybe suffering from some type of dementia.”

To the extent that these allegations relate directly to the merits of decisions or procedural rulings, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, any assertions of bias, corruption, incompetence, and mental disability appear entirely derivative of the merits-related charges, but to the extent the allegations are separate, they are wholly unsupported, and are therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii) as “lacking sufficient evidence to raise an inference that

misconduct has occurred” or that the judge is suffering from a mental disability.

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.

This is complainant’s second judicial misconduct complaint in seven months against the subject judge, and her third complaint to be dismissed as merits-related and frivolous or conclusory. Complainant is WARNED that should she file a further merits-related, conclusory, frivolous, or repetitive complaint, her right to file complaints may be suspended and, unless she is able to show cause why she should not be barred from filing future complaints, the suspension will continue indefinitely. See Rule 10(a), Rules For Judicial-Conduct and Judicial-Disability Proceedings.

An order dismissing the complaint is entered simultaneously herewith.



Priscilla R. Owen
Chief United States Circuit Judge

May 6, 2020