

FILED

January 3, 2024

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-23-90081

MEMORANDUM

Complainant, a state pretrial detainee, complains that the subject United States District Judge erroneously dismissed his prisoner civil rights action for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A, and therefore the strike imposed under 28 U.S.C. § 1915(g) was also erroneous. Complainant appears to further allege that the judge's denial of his motion to remove the strike was "misconduct."

The complaint relates directly to the merits of decisions or procedural rulings and is 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.



Priscilla Richman
Chief United States Circuit Judge

December 26, 2023