

United States Court of Appeals for the Fifth Circuit

No. 22-10776
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 28, 2022

Lyle W. Cayce
Clerk

JOHN WILLIAMS MILLER,

Plaintiff—Appellant,

versus

CHAD MEACHAM, UNITED STATES ATTORNEY FOR THE
NORTHERN DISTRICT OF TEXAS; ROBIN S. ROSENBAUM,
APPELLATE COURT JUDGE; UNITED STATES OF AMERICA,

Defendants—Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:22-CV-1538

Before SMITH, DENNIS, and SOUTHWICK, *Circuit Judges.*

PER CURIAM:*

Appellant John W. Miller, *pro se*, sued Chad Meacham, the United States Attorney for the Northern District of Texas, and Robin S. Rosenbaum, a judge of the United States Court of Appeals for the Eleventh Circuit. Miller

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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also handwrote “United States of America” and “DOJ” as defendants in the caption of the complaint form. His allegations concern Judge Rosenbaum’s handling of a case in the Eleventh Circuit.

A magistrate judge recommended that Miller’s claim against Judge Rosenbaum be dismissed for improper venue and that his claims against Meacham, the United States, and/or the Department of Justice be dismissed for failure to state a claim. Miller filed a motion for the magistrate judge to recuse. The district court denied the recusal motion, dismissed Miller’s claims on the grounds recommended by the magistrate judge, and entered final judgment. Miller then filed a motion for the district judge to recuse, which was terminated in light of the final judgment. Finally, Miller filed a motion to set out the judgment pursuant to FED. R. CIV. P. 58(d). The district court deemed that motion moot in light of the final judgment. *See Miller v. Meacham*, Case No. 3:22-cv-01538-B-BH, ECF No. 29 (N.D. Tex. Aug. 25, 2022).

Construing Miller’s *pro se* brief liberally, and after reviewing the record, we find that the district court did not err in dismissing Miller’s claims and denying his motions. We therefore AFFIRM.