

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS
FILED

AUG 04 2016

**FIFTH CIRCUIT
LYLE W. CAYCE, CLERK**

Complaint Number: 05-16-90104

MEMORANDUM

Complainant, a *pro se* litigant, states that he believes that his attorney withdrew from his case “[b]ecause of past misconduct and the perceived temperament of [the subject United States District Judge].” He further asserts: “I have not been able to obtain legal counsel ... and therefore, [I am] put at an extreme disadvantage to properly continue this case by myself. In effect, I am denied proper counsel, not because of the merits of my complaint, but because of an action by others.”


Complainant presents no evidence in support of these claims and, to the extent that he surmises that his attorney withdrew because the case was assigned to the judge’s docket, the claim is explicitly contradicted by counsel’s motion to withdraw.

The allegation is subject to dismissal as frivolous under 28 U.S.C. § 352(b)(1)(A)(iii).

Complainant also states that he believes “that there may be bias in favor of the defendants, two [local] Police Officers” because “there seems to be a general consensus amongst attorneys I have spoken with” that local jurors are biased in favor of the police.

This allegation is not aimed at the judge’s conduct, and is therefore also subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii).

An order dismissing the complaint is entered simultaneously herewith.


Carl E. Stewart
Chief Judge

June 16, 2016