

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS
FILED
AUG 01 2017
FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

Complaint Numbers: 05-17-90079 through 05-17-90081


MEMORANDUM

Complainant, a *pro se* litigant, asserts that the three subject United States Circuit Judges “demonstrated abuse of discretion and misconduct” in dismissing her appeal for lack of jurisdiction based on allegedly erroneous filing dates, and in failing to “address or correct” those errors in denying her motion for reconsideration. Complainant appears to further allege that the circuit judges ruled against her in “collusion” with the United States District Judge who presided over the underlying district court proceeding.

To the extent that these allegations relate directly to the merits of the judges’ decisions, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, such a conclusory assertion of “collusion” is insufficient to support a finding of judicial misconduct and is subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii).

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.


Carl E. Stewart
Chief Judge

July 29, 2017