

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS  
**FILED**

OCT 17 2017

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

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Docket Number: 05-17-90112

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MEMORANDUM

In a barely intelligible judicial misconduct complaint, prisoner-complainant appears to allege that the subject United States District Judge improperly used the prison department's offender database to find out why complainant was incarcerated, i.e., the nature of his conviction was irrelevant to his claims. Complainant further asserts that after learning that he was convicted for child-sex offenses, the judge "developed a damage towards/upon [his] emotions towards me" and intentionally mischaracterized, and unfairly dismissed, complainant's claims against the defendants.

To the extent that the allegations relate directly to the merits of the judge's decisions, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, such a conclusory assertion of bias is insufficient to support a finding of judicial misconduct, and is therefore 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

October 11, 2017