

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

JUN 27 2019

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

Docket Numbers: 05-19-90067 and 05-19-90068

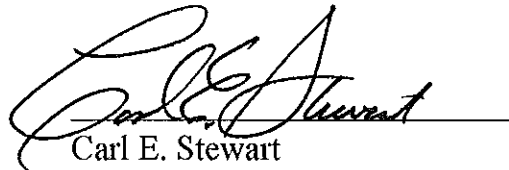
M E M O R A N D U M

Complainant, a state prisoner, alleges that the subject United States Magistrate Judge's finding that he did not file a reply to the respondent's answer to his 28 U.S.C. § 2254 petition "was clearly untrue." He further asserts that by dismissing the petition without requiring the magistrate judge to respond to his objections to the Report and Recommendation, the subject United States District Judge denied him due process.

The allegations relate directly to the merits of the judge's and the magistrate judge's decisions and are 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.



Carl E. Stewart
Chief Judge

June 23, 2019