

FILED

May 19, 2020

Lyle W. Cayce
Clerk**JUDICIAL COUNCIL
FOR THE FIFTH CIRCUIT**

Complaint Number: 05-20-90105

M E M O R A N D U M

Complainant, a pro se litigant, complains that the subject United States Circuit Judge erroneously dismissed her judicial misconduct complaint against thirty-six judicial officers. She further alleges that by failing to appoint a Special Committee to investigate the “apparent misconduct and outright criminal-deviant behavior(s) of [the thirty-six subject judges],” the judge “refused to do her duty” and “publicly demonstrated where her apparent personal and financial interests lie.”

Complainant also protests that the judge’s finding that complainant had abused the complaint process, and the judge’s warning that complainant might be subject to Rule 10(a) sanctions if she filed a further merits-related, conclusory, frivolous, or repetitive complaint, constituted an “attack/retaliation” against her for reporting judicial misconduct. In addition, complainant submits that the judge does not have “any authority to dismiss valid complaints, mistreat, attack, intimidate, threaten and obstruct complainants.”

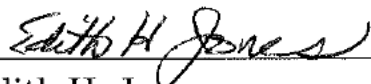
To the extent that these allegations relate directly to the merits of the judge’s decisions, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). To the extent that complainant asserts that the judge’s decisions were based on “personal and financial interests,” the conclusory allegation is so lacking in indicia of reliability that no further inquiry is warranted and is subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii). In other respects, the allegations of retaliation, intimidation, or abuse of

judicial power appear entirely derivative of the merits-related charges, but to the extent the allegations are separate, they are wholly unsupported, and are therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii) as “lacking sufficient evidence to raise an inference that misconduct has occurred.”

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.

Complainant has been warned previously against filing a further merits-related, conclusory, frivolous, or repetitive complaint. Complainant’s right to file complaints is hereby SUSPENDED pursuant to Rule 10(a), Rules For Judicial-Conduct and Judicial-Disability Proceedings. Complainant may show cause, through a petition for review submitted pursuant to Rule 18, why her right to file further complaints should not be so limited.

An order dismissing the complaint is entered simultaneously herewith.



Edith H. Jones
Circuit Judge

5/5, 2020

BEFORE THE JUDICIAL COUNCIL
OF THE FIFTH CIRCUIT

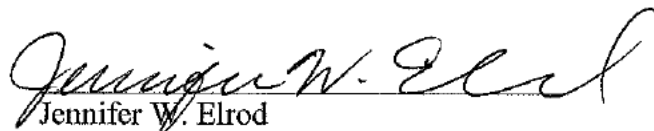
Nos. 05-20-90105
Petition for Review by [REDACTED]
of the Final Order Filed May 19, 2020,
Dismissing Judicial Misconduct Complaint Against
[REDACTED]
Under the Judicial Improvements Act of 2002.

ORDER

An Appellate Review Panel of the Judicial Council for the Fifth Circuit has reviewed the above-captioned petition for review, and all the members of the Panel have voted to affirm the order of Judge Edith H. Jones, filed May 19, 2020, dismissing the Complaint of [REDACTED] against [REDACTED] under the Judicial Improvements Act of 2002.

The Order is therefore **AFFIRMED IN ALL RESPECTS**.

7/14/20
Date


Jennifer W. Elrod
United States Circuit Judge
For the Judicial Council of the Fifth Circuit