

**FILED**

September 19, 2023

Lyle W. Cayce  
Clerk

# Judicial Council for the Fifth Circuit

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Complaint Number: 05-23-90049

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## MEMORANDUM

Complainant, a civil litigant, alleges that the subject United States District Judge “would not let me submit evidence . . . which would have proven my case of retaliation” and “was being bias[ed] and prejudice[d] and show[ed] retaliation along with [the Defendant-company] throughout this whole court process of my case.” Despite noting that defense counsel “came back to say” that the Defendant’s response to the clerk’s advice that the judge had stock in Defendant’s holding company named the wrong judge and was filed in the wrong case, and despite the judge’s order clarifying that—contrary to the (misfiled) response—he did not have stock in the holding company, Wright insists the judge did have stock and his participation in the case “was negligen[t] . . . and I believe that’s why he was automatically on [the Defendant’s] side to dismiss my case.”

To the extent that these allegations relate directly to the merits of decisions or procedural rulings, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, any assertions of bias, prejudice, and retaliation 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.

An order dismissing the complaint is entered simultaneously herewith.

A handwritten signature in cursive script that reads "Priscilla Richman".

Priscilla Richman

Chief United States Circuit Judge

September 15, 2023