

**FILED**

May 22, 2025

Lyle W. Cayce  
Clerk

# Judicial Council for the Fifth Circuit

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Complaint Number: 05-25-90046

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## IN RE COMPLAINT OF JUDICIAL MISCONDUCT UNDER THE JUDICIAL IMPROVEMENTS ACT OF 2002.

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### ORDER AND MEMORANDUM OF REASONS


Complainant, a pro se litigant, has filed a complaint alleging misconduct by a United States District Judge in a civil proceeding.

A review of the underlying docket shows that the judge granted the defendant's motion to stay discovery pending a ruling on the defendant's Rule 12(b)(6) motion to dismiss. Complainant filed a motion to release or transfer her case to a county court. Six months later, the judge granted the defendant's motion to dismiss without prejudice to Complainant refiling her state law claims in the county court. The judge denied as moot Complainant's motion to release or transfer the case to the state court.

Complainant complains that she "did not want the case dismissed but lifted the Stay Discovery [sic]. ... There are some errors in the body of the order."

The complaint relates directly to the merits of decisions or procedural rulings and is 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.



JENNIFER WALKER ELROD  
*Chief Judge*