

FILED

May 29, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-25-90049

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

ORDER AND MEMORANDUM OF REASONS

Complainant, a federal prisoner who states he was recently released for prison to a halfway house, has filed a complaint alleging misconduct by a United States District Judge in post-conviction proceedings.


The docket reflects that the case was reassigned to the judge eighteen months after final judgment was entered. In an order entered in August 2023, the judge denied Complainant's motion seeking reconsideration of denials of a motion for compassionate release and subsequent motions for compassionate release. The order also warned Complainant that the filing of further motions for compassionate release or further misrepresentations of fact would result in the imposition of sanctions. Unperturbed, Complainant continued filing motions for compassionate release. In an entered in October 2023, the judge denied the motions, imposed a \$100 sanction, and precluded Complainant from filing anything further in the case.

Complainant complains that the judge has "ignored" motions he filed after the preclusion order was entered, including a recent motion "requesting

either my release from the halfway house or a transfer to supervised release.”¹

The complaint relates directly to the merits of decisions and 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

¹ To the extent that Complainant requests “corrective action, which may include the reassignment of my case to a different judge,” the judicial complaint process cannot be used to “transfer a pending case from one judge or court to another.” *See* Fifth Cir. Comment 4.2, Rules for Judicial-Conduct and Judicial-Disability Proceedings.