

FILED

July 7, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-25-90055

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

ORDER

Complainant, a pro se litigant, has filed a complaint alleging misconduct by a United States District Judge in a pending 42 U.S.C. § 1983 proceeding.

Complainant complains that her claims against a state judge and a prosecutor were dismissed without a pretrial hearing. However, because that decision was made by another district judge, the allegation is subject to dismissal as frivolous under 28 U.S.C. § 352(b)(1)(A)(iii).


Complainant further complains that she has received “no response” to her “motion requesting due cause and reconsideration.” However, there do not appear to be any such motions on the docket, and the allegation is 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.”

Complainant also complains that the judge transferred the case to another division of the district court “without due process.” This allegation relates directly to the merits of a decision or procedural ruling 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.

This is Complainant's third judicial-conduct complaint in five weeks, all of which have been dismissed under 28 U.S.C. §§ 352(b)(1)(A)(ii) and/or (iii). Complainant is WARNED that should she file a further merits-related, conclusory, frivolous, or repetitive complaint, her right to file complaints may be suspended and, unless she is able to show cause why she should not be barred from filing future complaints, the suspension will continue indefinitely. *See* Rule 10(a), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

An order dismissing the complaint is entered simultaneously herewith.


JENNIFER WALKER ELROD
Chief Judge