

FILED

July 7, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-25-90056
through 05-25-90059

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 United States District Judge A and United States Magistrate Judge X in Case 1 and alleging misconduct by United States District Judge B and United States Magistrate Judge Y in Case 2.

Allegations: Case 1

Complainant complains that Magistrate Judge X's (purportedly) dispositive orders are "illegal" and "corrupt" because Complainant did not consent to proceed before a magistrate judge. She further asserts that the magistrate judge improperly denied her motion to strike the defendant's "unauthorized and untimely" motion to dismiss and is "intimidating and bullying me" by "corruptly order[ing] me to reply" to the motion, thereby "illegally soliciting me to violate my right to due process" and "to commit federal crimes by obstructing justice against myself." Complainant also alleges that Magistrate Judge X: "committed non-judicial acts" in violation of Rule 4(a)(7) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings by ordering "me to violate to violate my own right to due process, act[ing] as an agent of injustice, ... and abus[ing] her public position"; and, treated Complainant in a demonstrably egregious and hostile

manner in violation of Rule 4(a)(2) by “deceptively word[ing] [an] Order as if I’m not following the law and federal rules.”

In addition, Complainant alleges that Judge A’s and Magistrate Judge X’s failure to grant her motions for default judgment shows that the judges are “conspiring with the [defense counsel] with illegal, depriving [sic] and corrupt conduct causing justice to be obstructed[.]” Without presenting any supporting evidence, Complainant also accuses Judge A of improper conduct occurring outside the performance of official duties in violation of Rule 4(a)(7).

To the extent 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). 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. The conclusory assertions of “intimidation,” “bullying,” “corruption,” “conspiracy,” and improper “conduct occurring outside the performance of official duties” are 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.”

Allegations: Case 2

Complainant alleges Magistrate Judge Y lacked jurisdiction to enter orders because Complainant did not consent to proceed before a magistrate judge. She further claims that the magistrate judge convened a status conference “to intimidate and harass me and delay entry of default [judgment],” and “told me to illegally serve the Defendant on the courtroom floor.” Without providing any evidence in support of the claim, Complainant also asserts that Magistrate Judge Y “is engaging in illegal, unethical ex parte conversations with the [defense counsel] to block legal entry of default[.]”

To the extent 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). The conclusory assertions of “intimidation,” “harassment,” and improper “ex parte communication” are 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 complains that Judge B “never responded” to her motion to vacate referral to the magistrate judge and thereby “allowed [Magistrate Judge Y] to order me and [defense counsel] to appear before her so that she could insult me and intimidate me.” She further complains that Judge B “is refusing to make an entry of default.” Without providing any supporting evidence, Complainant also accuses Judge B and Magistrate Judge Y of improper conduct occurring outside the performance of official duties in violation of Rule 4(a)(7).

The record reflects that Complainant’s motion to vacate referral was denied by Magistrate Judge Y during the status conference, and the record does not reflect—and Complainant does not refer to—any pending motion seeking reconsideration of that decision. The record also reflects that the magistrate judge stated during the status conference that she would recommend that the court deny Complainant’s motion for default judgment, but no such recommendation has yet been entered on the docket.

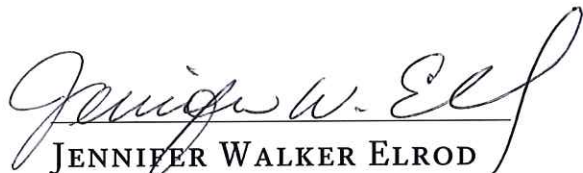
The allegations that Judge B has failed to rule on Complainant’s motions, and the allegation of improper conduct occurring outside the performance of official duties, are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii) as “lacking sufficient evidence to raise an inference that misconduct has occurred.”

Additional allegations

Complainant alleges that Judges A and B and Magistrate Judge Y engaged in discrimination against “a black American female litigant” in violation of Rule 4(a)(3) by “maliciously conspiring with” the defendant “to violate my rights and deny me equal protection under the law.” Claiming that defense counsel engaged in an “illegal, racist game” by failing to file timely defensive pleadings in both cases, Complainant further claims that Judges A and B and Magistrate Judges X and Y violated Rule 4(a)(6) by “failing to call to the attention of the relevant chief district judge or chief circuit judge any reliable information likely to constitute judicial misconduct.”

To the extent 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). The conclusory assertions of “discrimination” and “conspiracy” are 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.”

An order dismissing the complaint is entered simultaneously herewith.


JENNIFER WALKER ELROD
Chief Judge

FILED

September 19, 2025

Lyle W. Cayce
Clerk

**Judicial Council
for the Fifth Circuit**

Complaint Number: 05-25-90056 through 05-25-90059

IN RE COMPLAINT OF [REDACTED] AGAINST

[REDACTED]
[REDACTED] AND
[REDACTED]

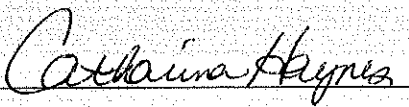
UNDER THE JUDICIAL IMPROVEMENTS ACT OF 2002.

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 Chief Judge Elrod, filed July 7, 2025, dismissing the Complaint of [REDACTED] against [REDACTED]

[REDACTED]
[REDACTED] under the Judicial Improvements Act of 2002.

The order is therefore **AFFIRMED**.


Catharina Haynes
United States Circuit Judge
For the Judicial Council of the Fifth Circuit