

FILED

July 10, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-25-90062
and 05-25-90063

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 the subject United States District Judge and United States Magistrate Judge in Complainant's civil case.

Complainant complains that “despite overwhelming, un rebutted evidence on the public record that no service of process was ever completed” in state court divorce and child support proceedings, the magistrate judge “issued a recommendation for dismissal without addressing [the state court’s] jurisdiction” to enforce child support orders. Complainant asserts that “[t]his omission was not accidental—it reflects an intentional disregard of binding legal standards.”

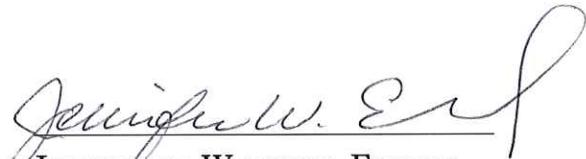
Complainant further complains that the district judge adopted the recommendation “without ruling on the jurisdictional challenge” and subsequently denied reconsideration. Complainant alleges that the entry of a dismissal order on “the same day that the [defendant] was formally served process ... rais[es] serious questions about impartiality and potential retaliatory conduct.”

Complainant concludes that the subject judges' "refusal to establish jurisdiction before making rulings constitutes gross negligence, abuse of authority, and prejudicial conduct" in violation of Canon 1 ("A judge should uphold the integrity and independence of the judiciary")¹ and Canon 2 ("A judge should avoid impropriety and the appearance of impropriety in all activities")² of the Code of Conduct for United States Judges.

These allegations relate directly to the merits of decisions or procedural rulings and are 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.

The conclusory assertions of improper motive, prejudice, and retaliation 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

¹ Guide to Judiciary Policy, Vol. 2A, Ch. 2, at 2.

² *Id.*, at 3.