

FILED

September 11, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-25-90074 through 05-25-90077

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

ORDER

Complainant, a state prisoner, alleges misconduct by a United States District Judge in Complainant's 42 U.S.C. § 1983 proceeding, and by three United States Circuit Judges in a related appeal.

Complainant complains that despite being aware of "exceptional circumstances warrant[ing] [appointment of counsel]," e.g., "due to neuro damages low IQ 69 EA 5.3, both physical and mental illness" and "[it] was a triple complex case," the subject judges denied his motions for appointment of counsel. Complainant alleges that these denials constituted "failure to accommodate a protected class member of the ADA," "intent[ional] discrim[ination] against my disabilities [sic] rights for these services," "denial of p[a]rticipation," "interference with my access to court," "deliberate indifference to my safety risk and equal protection rights of the law," and "cruel and unusual punishment."

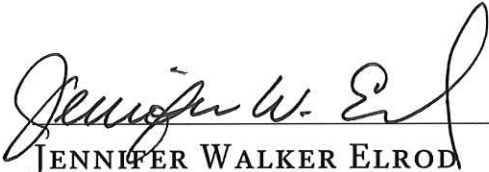
Complainant further complains that the district judge's dismissal of his lawsuit, and the imposition of strikes under § 1915(g) in both the district court and appellate court, constituted "restraintment [sic] of liberty ... within a pro se case of services (life [en]dangerments, of death threats, etc.)," and denial of due process. He also claims that the circuit judges were "negligen[t] within th[eir] oversight of review" because, despite "actual

knowledge of the district court abuse in d[is]rection,” they dismissed the appeal.

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 and may not be used to obtain reversal of a decision or a new trial.

The conclusory assertion of intentional discrimination is 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