

October 28, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-26-90011

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

ORDER

Complainant, a federal prisoner, has filed a complaint alleging misconduct by a United States District Judge in Complainant's criminal proceeding.

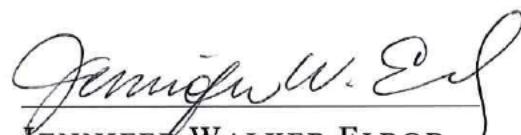
Complainant complains that the judge:

- "had reach [sic] determination, lacking a proper hearing for rebuttal, siding with the government" related to the government's response to one of defendant's motions;
- "knowingly and intentionally attempted to amend" the date of the scheduled hearing on a motion to suppress," thereby "exhibiting in, [sic] inappropriate actions by a judge including bias, abuse of authority and failing to follow legal procedures";
- abruptly canceled the hearing on the motion to suppress and "omitted from the docket/transcript as non-existed [sic]";
- overlooked inconsistent testimony and wrongly excluded relevant evidence and testimony; and
- denied Complainant's multiple motions to lift protective orders, thereby raising "significant procedural and substantive concern of injustice."

Complainant also references the judge's decisions on Complainant's pro se motion to withdraw his appointed counsel and to the judge's answers to two jury questions, but it is unclear if or why Complainant believes this conduct amounts to misconduct.¹

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 complaint procedures in 28 U.S.C. §§ 351-364 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 assertions of bias, abuse of authority, and record tampering 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."

The complaint is DISMISSED. An unredacted private order is entered simultaneously herewith.



JENNIFER WALKER ELROD
Chief Judge

¹ Due to a lack of clarity in Complainant's statement of facts, it is not possible to discern whether the complaint contains any additional allegations against the judge.

February 3, 2026

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-26-90011

IN RE COMPLAINT OF [REDACTED]

AGAINST [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 Jennifer Walker Elrod, filed October 28, 2025, dismissing the Complaint of [REDACTED] against [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