

FILED

November 3, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-26-90016

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 a 42 U.S.C. § 1983 proceeding.

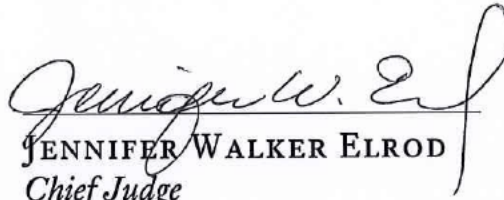
Complainant complains that the judge “obstructed justice,” denied due process, and engaged in “federal law deprivements [sic]” and “intentional discrimination” in denying appointment of counsel “to a protected class member” of the Americans with Disabilities Act. Complainant appears to further complain that in dismissing the case without prejudice as barred by 28 U.S.C. § 1915(g), the judge was “deliberately indifferent to my serious medical health need, as well as my access to court.”

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 assertion of improper motive 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.”

This is Complainant’s third merits-related and conclusory judicial misconduct complaint in four months. Complainant is WARNED that

should he file a further merits-related, conclusory, frivolous, or repetitive complaint, his right to file complaints may be suspended and, unless Complainant is able to show cause why he 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.

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


JENNIFER WALKER ELROD
Chief Judge