

FILED

November 19, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-26-90026

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 a United States District Judge in a civil proceeding.

Complainant complains that the judge engaged in “judicial misconduct, ADA exclusion, constitutional injury, and procedural sabotage” in violation of Canons 1, 2, and 3 of the Code of Conduct for United State Judges.¹ For example, Complainant complains that:

- The judge “issued dispositive rulings without consent, violating 28 U.S.C. § 636(c)(1),” i.e., the judge improperly permitted a United States Magistrate Judge to enter a (non-dispositive) Report and Recommendation (“R&R”) after Complainant filed a notice that he did not consent to proceed before a magistrate judge.

¹ Canon 1 provides that “[a] judge should uphold the integrity and independence of the judiciary.” Canon 2 provides that “[a] judge should avoid impropriety and the appearance of impropriety in all activities.” Canon 3 provides that “[a] judge should perform the duties of the office fairly, impartially and diligently.” *See* Guide to Judiciary Policy, Vol. 2A. Ch. 2.

- In adopting the R&R, the judge “ignored Rule 72(b) Objections, verified forensic evidence, and jurisdictional defects.”
- By dismissing the case without reaching the merits of Complainant’s claims, the judge “allowed [State A] officials to alter [State B] records, resulting in unlawful enhancements and retrospective punishment.”
- The judge “suppressed ADA filings, denied accommodations, and excluded a federally protected disabled litigant from meaningful access to court.”
- The judge retaliated “against disability-based advocacy” by issuing a prefiling injunction “after my mandamus petition was filed.”

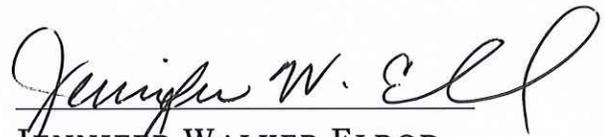
To the extent these allegations relate directly to the merits of decisions or procedural rulings, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). The complaint procedures in 28 U.S.C. §§ 351-364 are not a substitute for the normal appellate review process and may not be used to obtain reversal of a decision or a new trial.

The conclusory assertions of ADA exclusion and retaliatory motive 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 further that the judge’s improper “conduct in my federal complaint reflects a pattern of judicial misconduct previously condemned by higher courts[.]” In support of this claim, Complainant submits that the judge’s decisions have been the subject of “18 mandamus reversals in one year,” the judge has received “repeated rebukes for refusing to transfer cases,” the judge “manipulat[ed] venue to attract [a specific type of] litigation”; and the judge “disregard[ed] binding precedent, prompting [the chief district judge] to strip” those types of cases from the judge’s docket.

An appellate court's reversals of a district judge's decisions, without more, do not constitute evidence of misconduct by the district judge. Similarly, the chief district judge's administrative order dividing new cases among all district judges is not evidence that the judge engaged in misconduct. These allegations are therefore 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

FILED

February 25, 2026

Lyle W. Cayce
Clerk

**Judicial Council
for the Fifth Circuit**

Complaint Number: 05-26-90026

IN RE COMPLAINT OF [REDACTED] AGAINST
[REDACTED]
[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 November 19, 2025 dismissing the Complaint of [REDACTED] against [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*