

FILED

November 26, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-26-90029 through 05-26-90031

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

ORDER

Complainant, a civil litigant, has filed a complaint alleging misconduct by three United States Circuit Judges.

Pursuant to Rule 25(f) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, this matter has been assigned to me for consideration.

Complainant complains that the judges “deprived me of a fair appellate process and undermined the integrity of judicial review” by:

- issuing an “opinion closely track[ing] the district court’s reasoning,” thereby failing to “conduct a de novo evaluation of the record”;
- “ignor[ing] uncontested record evidence of religious harassment,” thereby failing to “perform judicial duties impartially”;
- “defer[ring] to the district court” by “deliberate[ly] disregard[ing] binding precedent”; and
- denying Complainant’s motion for leave to file a petition for rehearing out of time “on a hyper-technical basis,” thereby

demonstrating “a rigid application of form over substance [that] undermines public confidence in the judiciary.”

Complainant concludes that this “cumulative pattern ... suggests a coordinated reluctance to scrutinize the lower court’s handling of the case” and “a posture of institutional protection—shielding the district court from reversal or reputational harm.”

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.

The conclusory assertion of improper motive—i.e., protecting the district court—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.”

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



JERRY E. SMITH
United States Circuit Judge

FILED

March 11, 2026

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-26-90029 through 05-26-90031

IN RE COMPLAINT OF [REDACTED]
AGAINST

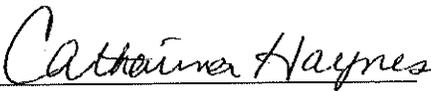
[REDACTED]
UNDER THE JUDICIAL IMPROVEMENTS ACT OF 2002.

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 Judge Jerry E. Smith, filed November 26, 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