

FILED

December 17, 2025

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-26-90032

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

ORDER

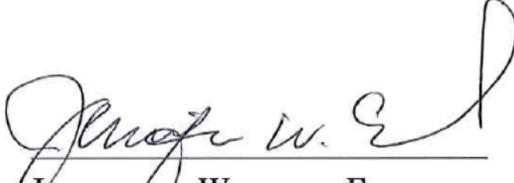
Complainant, a federal prisoner, has filed a complaint alleging misconduct by a United States Magistrate Judge in Complainant's civil suit against various prison employees.

Complainant alleges that the magistrate judge "utilize[d] deceptive, unfair tactics in an unscrupulous effort to make pro se plaintiffs be unsuccessful in their pre-trial motions and/or civil actions that would otherwise be meritorious." Specifically, he contends that the judge's disposal of motions "via electronic order without a Memorandum Order" was "irregular, improper, and deceptive" because it "effectively prohibit[ed] [him] from being able to object to [the judge's] reasoning for denial of meritorious motion[s]." Complainant further submits that the magistrate judge was derelict in his judicial duties because in issuing a "a text order denying [his] motion," the judge cited "no laws, legal precedent and made absolutely no legal or factual findings."

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 deceptive, unfair, and unscrupulous tactics 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.” Moreover, a review of the underlying docket reflects that Complainant did, in fact, file objections to the magistrate judge’s electronic rulings. Therefore, his allegation that the issuance of electronic orders prohibited him from objecting to the rulings is subject to dismissal as frivolous under 28 U.S.C. § 352(b)(1)(A)(iii).

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



JENNIFER WALKER ELROD
Chief Judge