

**FILED**

December 17, 2025

Lyle W. Cayce  
Clerk

# Judicial Council for the Fifth Circuit

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Complaint Number: 05-26-90038

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

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## ORDER

Complainant, a pro se litigant, has filed a complaint alleging misconduct by a United States District Judge in five civil proceedings.

Complainant complains that the judge “fail[ed] to perform judicial duties,” and engaged in a “pattern of procedural irregularities” and “retaliatory and hostile actions.”<sup>1</sup> In support, Complainant claims:

- “[A]cross all five cases,<sup>2</sup> ... [the judge] conducted [no] hearings, [no] discovery, [no] Rule 16 conferences, [no] evidence review, and [no] merits adjudication. Yet he dismissed every case. This is not judicial discretion. It is judicial non-performance[.]”<sup>3</sup>

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<sup>1</sup> Complainant asserts that the judge’s conduct violated “Rules 4(a)(1), 4(a)(2), 4(a)(4)” but the rules cited do not correspond to either the Rules for Judicial-Conduct and Judicial-Disability Proceedings or the Code of Conduct for United States Judges.

<sup>2</sup> Contrary to this claim, review of the record reflects that Case 5 is pending.

<sup>3</sup> In a prior judicial-conduct complaint, Complainant complained that the judge denied her due process by dismissing Cases 1 through 4 without holding hearings, conducting substantive review of her claims, or affording her opportunities to amend her claims. These allegations were dismissed under 28 U.S.C. § 352(b)(1)(A)(ii) as directly related to the merits of a decisions or procedural rulings.

- The judge “illegally adjudicated” motions for his recusal “with one-word orders (‘DENIED’), without findings or legal reasoning.”<sup>4</sup>
- In Case 2, the judge failed to find the defendants in default “despite proof of service and complete defendant non-participation.”
- In Case 3, the judge made “hostile and retaliatory” statements in orders “such as ‘Baseless claims ... delay [sic] relief,’ ‘The court admonishes plaintiff,’ [and] ‘Sanctions will follow’.”
- In Cases 1 and 2, the judge engaged in “procedural misconduct ... so severe that it prevented the normal error-correction function of the Fifth Circuit from operating as intended” in two appeals.

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.

To the extent that Complainant repeats allegations raised and dismissed in her prior complaint, those allegations are subject to dismissal as frivolous under 28 U.S.C. § 352(b)(1)(A)(iii). The conclusory assertions of hostility and retaliation 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.”

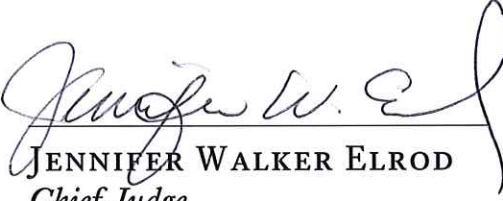
The filing of merits-related, conclusory, or repetitious allegations is an abuse of the complaint procedure. Complainant is WARNED that should she file a further merits-related, conclusory, frivolous, or repetitive

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<sup>4</sup> In her prior judicial-conduct complaint, Complainant complained that the judge summarily denied her recusal motions. The allegation was also dismissed under 28 U.S.C. § 352(b)(1)(A)(ii).

complaint, her right to file complaints may be suspended and, unless Complainant is able to show cause why she 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*

