

FILED

January 13, 2026

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-26-90049 through 05-26-90055

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 six United States Circuit Judges in his direct criminal appeal.¹ Complainant also alleges misconduct by a seventh United States Circuit Judge who dismissed his prior complaint alleging misconduct by the six circuit judges in his appeal.²

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

Complainant again complains that the six circuit judges “assum[ed] jurisdiction [in his appeal] where none existed, thus resulting in extensive criminal violations on their behalf [sic].”

Complainant further complains that despite providing “conclusive evidence” in his prior complaint of the six circuit judges’ lack of jurisdiction, the seventh circuit judge erroneously and improperly dismissed this aspect of the complaint as merits-related under 28 U.S.C. § 352(b)(1)(A)(ii), a

¹ Three of the subject circuit judges served on the merits panel and the other three served on the motions panel.

² An Appellate Review Panel of the Judicial Council for the Fifth Circuit affirmed the dismissal order.

decision that Complainant asserts “actually indicates a bias[ed] method of protecting the judge [sic] and the executive branch.”³

Complainant—who is serving a 168-month sentence after a jury found him guilty of conspiracy to defraud the United States and aiding and assisting in the preparation and presentation of false tax returns—concludes that the seven circuit judges “aided and abetted the [Internal Revenue Service], the prosecutors, and the district judge in their conspiracy to defraud the United States.”

To the extent that the allegations relate directly to the merits of the decisions, procedural rulings, or the dismissal of Complainant’s prior judicial misconduct complaint, 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 may not be used to challenge the correctness of a judge’s ruling or decision. *See* JC&D Rule 4(b)(1). Moreover, 28 U.S.C. § 352(c) provides that the “denial of a petition for review of the chief judge’s order shall be final and conclusive and shall not be judicially reviewable on appeal or otherwise.”

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.”

The filing of repetitious complaints is an abuse of the complaint process. 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.

³ Complainant’s conclusory assertion that the six circuit judges “willfully” assumed jurisdiction was dismissed 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.

/s/ Priscilla Richman

PRISCILLA RICHMAN
Circuit Judge

