

FILED

January 29, 2026

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-26-90065 and 05-26-90066

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

ORDER

Complainant, a state detainee, has filed a complaint alleging misconduct by a United States District Judge and a United States Magistrate Judge in two 42 U.S.C. § 1983 cases.

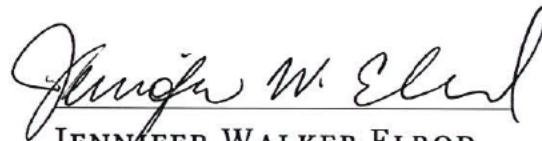
Without distinguishing between the cases, Complainant complains that the judges engaged in “discrimination or prejudice [by] not considering and taking the appropriate action,” e.g.: “(1) formulating and simplifying the issues and eliminating frivolous claims, (2) joinder of claims, (3) permissive joinder of parties (defendants), (4) substitution of parties (public officers or separation from office) in matters for consideration, and (5) adopting special procedures for managing potentially difficult or protracted actions that may involve complex issues, multiple parties, difficult legal questions, or unusual proof problems involving the plaintiff [sic] relief.” Complainant further complains that the judges’ failure to consider or take these actions resulted in “with prejudice” dismissals that “operate[d] as an adjudication on the merits” and “deprive[d] me of a suit against the State ... or individuals in their official capacities.”

To the extent that 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 may not be used to challenge the correctness of a judge's ruling or decision. *See* Rule 4(b)(1) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

The allegations of discrimination and prejudice 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.” Adverse rulings alone do not constitute evidence of bias. *See Liteky v. United States*, 510 U.S. 540, 555 (1994).

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


JENNIFER WALKER ELROD
Chief Judge