

FILED

February 10, 2026

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-26-90074 and 05-26-90075

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

ORDER

Complainant, a state prisoner, has filed a complaint alleging misconduct by a United States District Judge and a United States Magistrate Judge in Complainant's 42 U.S.C. § 1983 proceeding.

Complainant complains that:

- The magistrate judge “illegally” denied Complainant’s “written motions to submit evidences [sic] of fact ... proving the [defendants’] wrongdoing.”
- The district judge and the magistrate judge engaged in “dereliction of duty” by “fail[ing] to act on known information conclusively proven by fact evidence in the 42 pages of documents [I] submitted ... proving the [defendants’] wrongdoing.”¹
- The magistrate judge improperly recommended that Complainant’s claims should be dismissed as frivolous and

¹ Complainant claims that the judges’ failure to act violated JC&D Rule 11(c)(1)(D), however, that rule provides that a chief judge may dismiss a complaint in whole or in part if it “is based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred or that a disability exists[.]”

malicious and for failure to state a claim upon which relief can be granted, and the district judge improperly adopted the recommendation. Complainant asserts that the judges' "knowing and intentional false statements" in these rulings demonstrated "total disregard for truth and justice ... to cover up illegal actions of the named government employees and agencies."

- The district judge and the magistrate judge intentionally and improperly "called this a prisoner suit [even though] it does not relate to any prisoner, prison, jail, sentence, or incarceration. ... This case is a civil case with conclusive evidence that the true criminals are [the defendants]." The record reflects that Complainant filed the lawsuit using a "Prisoner's Civil Rights Complaint" form.

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 assertions of dereliction of duty and conspiracy 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 improper motive.

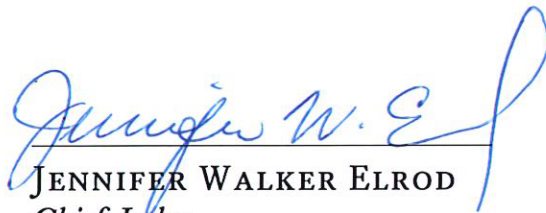
Complainant further complains that the district judge and the magistrate judge conspired with the defendants to have Complainant arrested "less than 24 hours after" he filed evidence of the defendants' wrongdoing. Complainant also complains that he was "illegally convicted" because of the judges' misconduct, e.g., "the withholding of [this case] from the jury." These allegations 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.”

In a prior complaint alleging misconduct by the same judges in the same proceeding, Complainant alleged that the magistrate judge’s finding that Complainant’s core claims were “clearly delusional,” and the district judge’s adoption of that finding, constituted “the offense of defamation of character against me.” The allegation was dismissed under 28 U.S.C. § 352(b)(1)(A)(ii). Complainant now complains that the district judge and the magistrate judge “made Lexis Nexis public statements against [me] in a prejudicial and hostile manner amounting to defamation of character by calling me delusional.” This repetitive allegation is subject to dismissal as frivolous under 28 U.S.C. § 352(b)(1)(A)(iii).

The filing of repetitive allegations is an abuse of the complaint procedure. 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.

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


JENNIFER WALKER ELROD
Chief Judge

FILED

May 8, 2026

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

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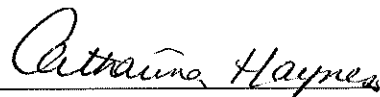
IN RE COMPLAINT OF [REDACTED]
AGAINST [REDACTED]

[REDACTED]
[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 Chief Judge Jennifer Walker Elrod, filed February 10, 2026, dismissing the Complaint of [REDACTED] against [REDACTED] and [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