

FILED

February 25, 2026

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-26-90084

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

Complainant complains that the circuit judge dismissed her prior complaint alleging misconduct by the United States District Judge who presided over Complainant’s criminal trial. A review of that complaint proceeding reflects that Complainant’s allegations challenging the merits of the district judge’s decisions or procedural rulings were dismissed under 28 U.S.C. § 352(b)(1)(A)(ii), and her conclusory assertions of racism were dismissed under 28 U.S.C. § 352(b)(1)(A)(iii) as “lacking sufficient evidence to raise an inference that misconduct has occurred.” An Appellate Review Panel of the Judicial Council for the Fifth Circuit affirmed the dismissal order.

While her petition for review was pending, Complainant filed the instant complaint in which she complains that, in violation of JC&D Rules 4(a)(5),¹ 8(c),² and 11³:

- The circuit judge failed to address each of the “12 different instances of cognizable misconduct” Complainant raised in her complaint, failed to adequately address Complainant’s allegations of “illicit or improper motive[s]” underpinning the district judge’s decisions, and erroneously stated that Complainant had accused the district judge of “racism [which] was never mentioned or inferred.”
- “Instead of rightfully appointing a special committee to investigate the egregious misconduct of [the district judge],” the circuit judge chose to dismiss my claim[s] ... by using bogus rationales for dismissal.” For example, the circuit judge: failed to “conduct an inquiry” into the

¹ Rule 4(a)(5) provides: “Interference or Failure Comply with the Complaint Process. Cognizable misconduct includes refusing, without good cause shown, to cooperate in the investigation of a complaint or enforcement of a decision under these rules[.]” *See* Guide to Judiciary Policy, Vol. 2E, Ch. 3 at 8.

² Rule 8(c) provides: “Complaint against Noncovered Person: If the circuit clerk receives a complaint about a person not holding an office described in Rule 1(b), the clerk must not accept the complaint under these Rules.” *See id.* at 18. The Commentary on Rule 8 provides: “Complaints against noncovered persons are not to be accepted for processing under these Rules but may, of course, be accepted under other circuit rules or procedures for grievances.” *See id.*

³ Rule 11(a) addresses the purpose of the chief judge’s review. Rule 11(b) provides that “[i]n determining what action to take under Rule 11(a), the chief judge may conduct a limited inquiry.” Rule 11(c) addresses permissible and impermissible grounds for dismissal. Rules 11(d) and (e) address the grounds for concluding a complaint. Rule 11(f) provides, in relevant part, that “[i]f some or all of a complaint is not dismissed or concluded, the chief judge must promptly appoint a special committee to investigate the complaint or any relevant portion of it and to make recommendations to the judicial council.” *See id.* at 20-22. Complainant notes that the Commentary on Rule 3 provides that “even absent a complaint filed by a complainant under Rule 6, chief judges are expected in some circumstances” to identify a complaint under Rule 5. *See id.* at 6.

district judge's denial of Complainant's pro se motion for a *Batson* hearing; failed to "research and correct in the interest of justice ... [the] fictitious creation of the 3.6 million dollar restitution amount" by the district judge and the Assistant United States Attorney ("the AUSA"); and "fail[ed] to report [the district judge's] corrupt behaviors to the proper authorities."

- The circuit judge failed to consider Complainant's allegations against the AUSA "under other circuit rules or procedures for grievances."

Complainant further submits that because she has reported the misconduct of the district judge and the AUSA "to multiple judicial officials and organizations within the judicial system, including DOJ and OIG," the circuit judge's dismissal of her complaint "could also be considered retaliation and a cover up" of the "corruption and subver[sion] of justice" perpetrated by the district judge and the AUSA.

To the extent that these allegations relate directly to the merits of the circuit judge's 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* Commentary to JC&D Rule 4(b)(1) ("a complaint challenging the correctness of a chief judge's determination to dismiss a prior misconduct complaint [is] properly dismissed as merits-related"). 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 assertions of retaliation and improper motive 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 addition, Complainant recounts that prior to submitting a formal misconduct complaint against the district judge, she filed “multiple letters” in her direct appeal alerting the court to the district judge’s and the AUSA’s “misconduct and corruption.” Complainant reports that the clerk notified her that no action would be taken on her pro se letters because she was represented by counsel. Complainant complains that, in violation of JC&D Rule 5(a),⁴ the circuit judge “completely disregarded the letters,” i.e., the chief judge failed to identify a complaint and “conduct an investigation” based on the “clear and convincing evidence” of “misconduct and corruption” set forth in those letters.

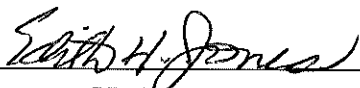
Even if Complainant had shown that the circuit judge was aware of the letters, which were filed in an appeal assigned to other judges, this allegation would be related to the merits of the circuit judge’s implied decision not to identify a misconduct complaint against the district judge pursuant to 28 U.S.C. § 351(b) or to conduct further investigation into the allegations under 28 U.S.C. § 352(a). *See* Commentary to JC&D Rule 4(b)(1). Therefore, this allegation is subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii).

This is Complainant’s second merits-related and conclusory judicial misconduct complaint in five months. Complainant is WARNED that should she file a further merits-related, conclusory, frivolous, or repetitive 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

⁴ Rule 5(a) provides: “When a chief judge has information constituting reasonable grounds for inquiry into whether a covered judge has engaged in misconduct or has a disability, the chief judge may conduct an inquiry, as he or she deems appropriate, into the accuracy of the information even if no related complaint has been filed. A chief judge who finds probable cause to believe that misconduct has occurred or that a disability exists may seek an informal resolution that he or she finds satisfactory. If no informal resolution is achieved or is feasible, the chief judge may identify a complaint and, by written order stating the reasons, begin the review provided in Rule 11. If the evidence of misconduct is clear and convincing and no informal resolution is achieved or is feasible, the chief judge must identify a complaint.” *See id.* at 13.

future complaints, the suspension will continue indefinitely. *See* JC&D Rule 10(a).

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


EDITH H. JONES
Circuit Judge

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June 29, 2026

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Clerk

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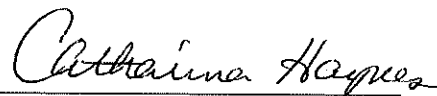
IN RE COMPLAINT OF [REDACTED]
AGAINST [REDACTED]

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 Judge Edith H. Jones, filed February 25, 2026, dismissing the Complaint of [REDACTED] against [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