

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS

FILED

NOV 14 2016

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

Complaint Number: 05-17-90009


MEMORANDUM

Complainant, a federal prisoner, complains that in denying his 28 U.S.C. § 2255 motion, the subject United States District Judge “fail[ed] to deliver [me] from involuntary servitude and interfer[ed] with deliverance and he failed to intervene to [sic] a conspiracy to subject [me] to involuntary servitude.” Without presenting any evidence in support of his claim, complainant further asserts that the judge “has engaged in a pattern and practice that results in subjecting impoverished racial minorities to involuntary servitude as a result of the knowing abuse of the legal process.”

To the extent that these allegations relate directly to the merits of the judge’s decision, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, such conclusory assertions of conspiracy and bias are insufficient to support a finding of judicial disability, and are therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii).

Judicial misconduct proceedings are not a substitute for the normal appellate review process, nor may they be used to obtain reversal of a decision or a new trial.

An order dismissing the complaint is entered simultaneously herewith.


W. Eugene Davis
Circuit Judge

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