

AUG 01 2017

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Complaint Numbers: 05-17-90056 through 05-17-90058

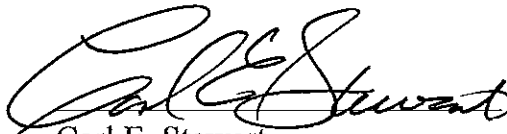
MEMORANDUM

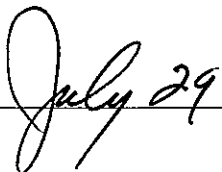
Complainant, a state prisoner, alleges that in determining that his notice of appeal was untimely filed, the three subject United States Circuit Judges willfully, maliciously, and fraudulently miscalculated the filing deadline. He accuses the judges of violating FRAP “by collusion and ... unfair or chicanerous practice of inchoate judicial review ... beyond anarchy and reach[ing] the realm of treason.”

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


Carl E. Stewart
Chief Judge


July 29, 2017