

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Complaint Numbers: 05-17-90062 and 05-17-90063

U. S. COURT OF APPEALS

FILED

OCT 17 2017

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

MEMORANDUM

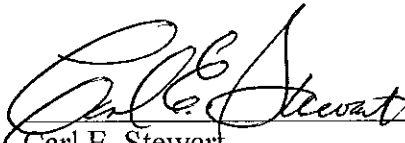
Complainant, a state prisoner, complains that the subject United States Magistrate Judges issued reports erroneously summarizing certain facts of complainant's arrest and criminal conviction. He contends that the errors amount to "AGG perjury."

The allegations relate directly to the merits of the magistrate judges' decisions. With regard to Magistrate Judge A, the complaint is subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). Magistrate Judge B's retirement several years ago is an intervening event that makes action on the allegations against him unnecessary, and the complaint proceeding as to Magistrate Judge B is therefore concluded pursuant to 28 U.S.C. § 352(b)(2).

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.

October 11, 2017



Carl E. Stewart
Chief Judge

U. S. COURT OF APPEALS
FILED

DEC 20 2017

FIFTH CIRCUIT
LYLE W. GAYCE, CLERK

BEFORE THE JUDICIAL COUNCIL
OF THE FIFTH CIRCUIT

No. 05-17-90062 and 05-17-90063
Petition for Review by [REDACTED]
of the Final Order Filed October 17, 2017
Dismissing Judicial Misconduct Complaint Against
[REDACTED]

Under the Judicial Improvements Act of 2002.

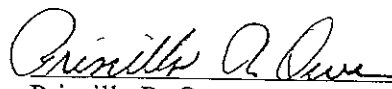
ORDER

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 Chief Judge Stewart, filed October 17, 2017, dismissing the Complaint of [REDACTED] against [REDACTED] under the Judicial Improvements Act of 2002.

The Order is therefore

AFFIRMED.

12-16-2017
Date


Priscilla R. Owen
United States Circuit Judge
For the Judicial Council of the Fifth Circuit