

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS
FILED
JAN 14 2019
FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

Docket Number: 05-18-90072

MEMORANDUM


Complainant, a state prisoner, complains that the subject United States Magistrate Judge denied his motion for reconsideration of her “clearly erroneous” order instructing him to file an amended complaint. Complainant protests that “the evidence speaks for itself” as to his claims against the defendants, and he contends that the magistrate judge’s “refusal to analyze or apply the law correctly is an abuse of discretion.”

The allegation relates directly to the merits of the magistrate judge’s decisions, and are therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii).

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.

January 9, 2018


Carl E. Stewart
Chief Judge