

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

FEB 22 2019

FIFTH CIRCUIT
LYLE W. CAYCE, CLERK

Docket Number: 05-19-90029

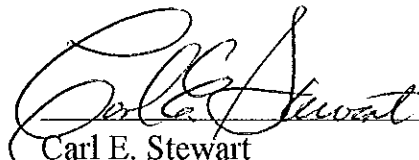
MEMORANDUM

Complainant, a state prisoner, alleges the subject United States District Judge's decision to impose consecutive federal sentences in revoking complainant's supervised release, and the judge's decision that the federal sentences be served consecutive to complainant's state sentence, were erroneous and "illegal." He asserts that the judge "has a record of ... [going] over the guidelines of the original sentence" and "is unable to discharge all duties of office by reason of mental or physical disability."

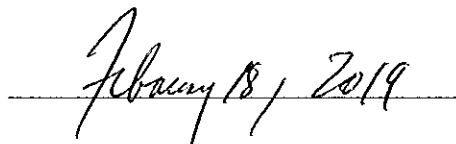
To the extent that the allegations relate directly to the merits of the judge's decisions they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, the assertion of disability appears entirely derivative of the merits-related charges, but to the extent the allegation is separate, it is wholly unsupported, and is 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.



Carl E. Stewart
Chief Judge



February 18, 2019