

FILED

August 12, 2021

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-21-90127 and 05-21-90128

MEMORANDUM

Complainant, a pro se litigant, alleges that the subject United States Magistrate Judge “who sits [on] the bench in [Division A]” improperly exercised jurisdiction in complainant’s case filed in Division B. He further objects that he never consented to the magistrate judge’s participation in the case. Complainant also complains that the subject United States District Judge and the magistrate judge “misconstrued my complaint as asking to take over the state court criminal proceeding.”

The allegations relate directly to the merits of rulings or procedural 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.

/s/ Priscilla R. Owen

Priscilla R. Owen

Chief United States Circuit Judge

August 11, _____, 2021