

FILED

January 10, 2022

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Numbers: 05-22-90014 through 05-22-90018

MEMORANDUM

Complainant, a pro se litigant, has filed a convoluted complaint alleging misconduct by the three subject United States District Judges and two subject United States Magistrate Judges.¹

Complainant—who declares that he is a Moorish American National, not a United States citizen—appears to complain that despite his filing multiple documents “declar[ing], proclaim[ing], and stat[ing] . . . my allegiance to my Nationality, Pedigree, BloodLine, BirthRights, Inalienable/Unalienable Secured Rights and Liberties” in the four underlying civil proceedings, the subject judicial officers:

- “tampered with” the cases “by placing my Appellation in All capital letters and changing my Status from In Propria Persona to Pro Se, Dead CORPORATION status/entity under “Color of Law,” “Color of Authority,” “Color of Office,” and Due Process of Law was abrogated by unclean hands”;
- “FAILED to provide proof of . . . their Delegation of Authority, in written form, from an Article III Judge over the Subject matter

¹ To the extent that complainant also alleges misconduct by “officers, clerks, and agents” of the district court and a state judge, those allegations are not cognizable under 28 U.S.C. §§ 351-364. *See* Rules 1(a) and (b) and Fifth Circuit Procedure 1, Rules for Judicial-Conduct and Judicial-Disability Proceedings.

jurisdiction, Personam matter Jurisdiction and Territorial matter Jurisdiction”;

- “FAILED [to] provide their public hazard and malpractice bonding information”; and,
- “committed Perjury, Fraud, Tort, Extortion and Racketeering etc.”

Complainant further complains that:

- in Case 1, District Judge A and Magistrate Judge X “stressed their purposely misconception of the IFP application is [sic] a (Request/Petition asking someone for something), I was not asking, I was/am demanding my constitutional secured Liberties and Right” and entered fraudulent orders denying complainant “access to the court”;
- in Case 2, District Judge C erroneously stated “[I] claim[ed] to be a Moorish American National” during a municipal court trial, whereas “I Am that which I Proclaimed and Declared I Am, and I Never went to trial”; and,
- in Case 3, District Judge B stated that complainant’s sovereign citizen claims were (patently) frivolous, and erroneously and improperly held that the judicial defendants were immune from suit and that complainant had failed to state a claim upon which relief could be granted.

To the extent that these allegations relate directly to the merits of decisions or procedural rulings, they are subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). In other respects, the allegations of case tampering, perjury, fraud, extortion, “tort,” and racketeering appear entirely derivative

of the merits-related charges, but to the extent the allegations are separate, they are wholly unsupported, and are therefore subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(iii) as “lacking sufficient evidence to raise an inference that misconduct has occurred.”

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.



Priscilla R. Owen
Chief United States Circuit Judge

January 5, 2022