

FILED

October 16, 2024

Lyle W. Cayce
Clerk

Judicial Council for the Fifth Circuit

Complaint Number: 05-25-90001

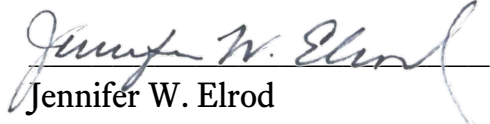
MEMORANDUM

Complainant, a pro se litigant, alleges that the subject United States District Judge, who presided over two proceedings filed by Complainant, misunderstood the claims and arguments asserted, failed to address the entirety of the arguments raised, relied on clearly inapplicable caselaw, and was unaware of or forgot applicable laws. Complainant submits that the judge’s erroneous rulings reflect “the hallmark symptoms of . . . a severe cognitive impairment” that renders him unable to discharge the duties of judicial office.

The records of the district court proceedings have been thoroughly reviewed. No conferences, hearings, or trials were conducted; thus, there are no transcripts or recordings to review. Nothing in the district court rulings themselves supports the assertion of mental disability, which appears entirely derivative of the merits-related charges. Because the complaint relates directly to the merits of the district court’s decisions or procedural rulings, it is subject to dismissal under 28 U.S.C. § 352(b)(1)(A)(ii). To the extent any allegation of mental disability is separate, it is wholly unsupported and subject to dismissal under § 352(b)(1)(A)(iii), as “lacking sufficient evidence to raise an inference” that the district judge is suffering from a disability that renders him unable to discharge the duties of judicial office.

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.


Jennifer W. Elrod
Chief United States Circuit Judge

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