United States Court of Appeals
Fifth Circuit

FILED

December 17, 2024

Lyle W. Cayce
Clerk

𝕭efore the 𝖏udicial Council
of the 𝖋ifth Circuit

Complaint Number: 05-25-90002

Petition for Review by ███████████

Regarding Complaint of Misconduct and/or Disability Against

███████████████████████████

Under the Judicial Improvements Act of 2002, 28 U.S.C. §§ 351-364.

ORDER

An Appellate Review Panel of the Judicial Council for the Fifth Circuit has reviewed the above-captioned petition for review, and all the members of the Panel have voted to affirm the order of Chief Judge Jennifer W. Elrod, filed November 1, 2024, dismissing the Complaint of ███████████ against ███████████

under the Judicial Improvements Act of 2002.

The Order is therefore **AFFIRMED.**

Dec 14, 2024

Date

Catharina Haynes

Catharina Haynes
United States Circuit Judge
For the Judicial Council of the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

November 1, 2024

Lyle W. Cayce
Clerk

Judicial Council
for the Fifth Circuit

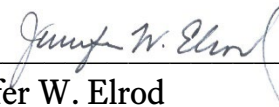---

Complaint Number: 05-25-90002

MEMORANDUM

Complainant, a pro se litigant, has filed a complaint alleging misconduct by the subject United States Magistrate Judge in a pending 42 U.S.C. § 1983 proceeding.

Complainant recounts that based on the advice in "A Handbook for Pro Se Litigants," she used her own words and tried to be as clear as possible in setting out the facts in her 42 U.S.C. § 1983 complaint against the Defendant, her former employer. Complainant complains that the magistrate judge did "not understand that I showed I was [employed by the Defendant]" and ordered her to file an amended complaint explaining, in part, the nature of her relationship with the Defendant.

The complaint relates directly to the merits of decisions or procedural rulings and is 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.

_____
Jennifer W. Elrod
Chief United States Circuit Judge

<u>October 31, 2024</u>