

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

February 22, 2016

Ty Clevenger
21 Bennett Ave, #62
New York, NY 10033

RE: Supplement to Judicial Misconduct Complaint No. 05-16-90014

Dear Mr. Clevenger:

We acknowledge receipt of your supplement to the above referenced judicial misconduct complaint against United States District Judge Walter S. Smith, Jr. The supplement has been transmitted to Chief Judge Stewart and to Judge Smith.

We note that you express concern in the supplement that the original complaint has been pending for four months. Please be advised that consideration of Judicial Misconduct Complaint 05-16-90014 has been delayed because:

- Your petition seeking review of the Judicial Council's disposition of Judicial Misconduct Complaint No. 05-14-90120 is pending before the United States Judicial Conference Committee on Judicial Conduct and Disability;
- The Committee on Judicial Conduct and Disability will review the Judicial Council's disposition of the issue of Judge Smith's failure to follow appropriate procedures regarding recusal from cases in which Greg White was representing parties in his court;
- That issue is raised in Judicial Misconduct Complaint No. 05-16-90014; and,
- It is customary for the Chief Judge to delay consideration of a complaint when there is litigation pending involving the same issues, and for the same reasons Judicial Misconduct Complaint No. 05-16-90014 will not be acted upon until the matter pending before the Committee on Judicial Conduct and Disability is resolved.

You will be advised, by mail, of the Chief Judge's action on your consolidated complaint.

Sincerely,
LYLE W. CAYCE, Clerk

By



Shelley E. Saltzman
Deputy Clerk