

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LEOURIETA B. GLASS,	)	8:11CV211
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
STATE OF NEBRASKA, et al.,	)	
	)	
Defendants.	)	

This matter is before the court on Plaintiff Leourieta Glass’s (“Glass”) “Motion for Change of Judge and the Appointment of a New Judge with Order for a New Trial that is Impartial and Fair,” which the court liberally construes as a motion for recusal. (Filing No. [210](#).) Statutory disqualification standards for federal judges are set forth in [28 U.S.C. §§ 144](#) and [455](#). Recusal is required if the judge has a personal bias against a party or in favor of an adverse party, [28 U.S.C. §§ 144, 455\(b\)\(1\)](#), or if the judge’s “impartiality might reasonably be questioned,” [28 U.S.C. § 455\(a\)](#). Liberally construed, Glass’s basis for seeking recusal in this matter is that the undersigned judge previously ordered Glass to pay “excessive fines” in a related case, [Campos v. Barney G. Inc., et al., 8:06CV699 \(D. Neb. 2006\)](#).<sup>1</sup> (Filing No. [210](#) at CM/ECF p. 1.)

The court has carefully reviewed the record in this matter and in *Campos*, and finds that the ground Glass asserts in support of her Motion is inadequate to prompt the undersigned judge’s disqualification. While Glass is surely dissatisfied with the court’s decision in *Campos*, the United States Supreme Court has held that “judicial rulings alone almost never constitute a valid basis for a bias or partiality

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<sup>1</sup>In *Campos*, the undersigned judge ordered Glass to pay \$250,000.00 in punitive damages to Rigoberto Campos (“Campos”) for violations of the Fair Housing Acts of 1968 and 1988. Campos was a tenant at a mobile home park owned by Glass in South Sioux City, Nebraska. ([8:06CV699](#), Filing No. [14](#).)

motion. . . . Almost invariably, they are proper grounds for appeal, not for recusal.” [Liteky v. United States, 510 U.S. 540, 551 \(1994\)](#). In addition, “opinions formed by the judge on the basis of facts introduced or events occurring in the course of . . . prior proceedings, do not constitute a basis for a bias or partiality motion unless they display a deep-seated favoritism or antagonism that would make fair judgment impossible.” *Id.* Here, Glass has not alleged any facts that would indicate any display of “a deep-seated favoritism or antagonism.” In short, Glass has not made the necessary showing in this case. She has not established bias, prejudice, or partiality in this Motion (Filing No. [210](#)), or in her prior motions for recusal (Filing Nos. [144](#) and [179](#)), which the court has already considered and rejected.

IT IS THEREFORE ORDERED that: Glass’s “Motion for Change of Judge and the Appointment of a New Judge with Order for a New Trial that is Impartial and Fair” (Filing No. [210](#)), which the court liberally construes as a motion for recusal, is denied.

DATED this 3<sup>rd</sup> day of May, 2012.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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