

MAY 03 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JUDICIAL COUNCIL
OF THE NINTH CIRCUIT

IN RE COMPLAINT OF
JUDICIAL MISCONDUCT

Nos.11-90170, 11-90171,
11-90172, 11-90173, 11-90174
and 11-90175

ORDER

KOZINSKI, Chief Judge:

Complainant alleges that four circuit judges and two district judges retaliated and conspired against him to cover up misconduct in his underlying criminal and civil matters. Adverse rulings don't prove conspiracy or retaliation; because complainant offers no other evidence to support his claims, these charges must be dismissed. See In re Complaint of Judicial Misconduct, 631 F.3d 961, 963 (9th Cir. Jud. Council 2011); 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D). Any disagreement complainant has with the judges' rulings is merits-related and not cognizable in misconduct proceedings. See 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B). Moreover, the charges and related issues are moot as pertains to one of the named circuit judges, who has died. In re Charge of Judicial Misconduct, 91 F.3d 90, 91 (9th Cir. Jud. Council 1996).

Complainant's two motions requesting that I hold contempt proceedings for

two of the named judges are denied as beyond my authority and totally unfounded.

Since filing his misconduct complaint, complainant has filed two petitions requesting the Judicial Council review his misconduct complaint. These petitions will not be considered because Judicial-Conduct Rule 18(a) allows a complainant to file a petition for review only after the chief judge issues an order.

DISMISSED.