

NOV 16 2012

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALSJUDICIAL COUNCIL  
OF THE NINTH CIRCUIT

IN RE COMPLAINT OF  JUDICIAL MISCONDUCT
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No. 12-90071

**ORDER****KOZINSKI**, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge made erroneous rulings concerning his convictions. This allegation relates directly to the merits of the judge's rulings and must therefore be dismissed. See 28 U.S.C.

§ 352(b)(1)(A)(ii); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); Judicial-Conduct Rule 11(c)(1)(B).

Complainant also alleges that the judge was not impartial. But adverse rulings aren't proof of bias, and complainant hasn't offered any other evidence of misconduct, so this charge must also be dismissed. See In re Complaint of Judicial

Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009); see also 28 U.S.C.

§ 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant previously filed two misconduct complaints against the same district judge. I dismissed those charges as merits-related and unsupported. See In re Complaint of Judicial Misconduct, Nos. 08-89037 and 08-90116 (9th Cir. Jud. Council 2008). Complainant is cautioned that if he files "repetitive, harassing, or

frivolous complaints” or “otherwise abuse[s] the complaint procedure,” he “may be restricted from filing further complaints.” Judicial-Conduct Rule 10(a).

**DISMISSED.**