

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

JUN 25 2015

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

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| <p>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</p> |
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No. 13-90040

ORDER

THOMAS, Chief Judge:

Complainant alleges that a district judge wrongfully denied his habeas petition. These allegations relate 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 alleges that the judge was biased against him. Adverse rulings, without more, do not constitute evidence of bias. See In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009). Because there is no evidence of misconduct, these charges must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant further alleges that the district judge fabricated evidence to support her ruling. However, complainant offers no evidence to support this allegation. Further, on appeal, complainant contended that the district judge relied on facts not presented to the jury, but an appellate panel affirmed the district

court's decision on de novo review. Thus, these allegations must also be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); see also Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.