

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

NOV 12 2014

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

<p>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</p>
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No. 13-90116

ORDER

KOZINSKI, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge made erroneous rulings in his criminal case on the basis that the criminal statute under which complainant was convicted was subsequently changed. The current complaint raises the same misconduct allegations as a prior complaint brought by complainant, which I dismissed as merits-related and unsupported. See In re Complaint of Judicial Misconduct, No. 12-90071 (9th Cir. Jud. Council Nov. 16, 2012), aff'd, In re Complaint of Judicial Misconduct, No. 12-90071 (9th Cir. Jud. Council Jan. 15, 2013). Therefore, my prior order makes further action on these charges unnecessary. See Judicial-Conduct Rule 11(c)(1)(C); In re Complaint of Judicial Misconduct, 563 F.3d 853, 854 (9th Cir. Jud. Council 2009).

In addition to the current complaint, and the complaint filed in No. 12-90071, complainant previously filed two similar misconduct complaints against the subject judge, which I dismissed as merits-related and unsupported. Complainant was warned that he may be restricted from filing further complaints.

In re Complaint of Judicial Misconduct, No. 12-90071, at 2 (citing Judicial-Conduct Rule 10(a)). Complainant is therefore ordered to show cause why he shouldn't be sanctioned via an order requiring him to obtain leave before filing further misconduct complaints. See In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009). Complainant has thirty-five days from the filing of this order to file a response, which will be transmitted to the Judicial Council for its consideration.

DISMISSED and COMPLAINANT ORDERED TO SHOW CAUSE.