

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

SEP 22 2014

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

<p>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</p>
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Nos. 13-90190, 13-90191 and
13-90192

ORDER

KOZINSKI, Chief Judge:

A pro se litigant alleges that three circuit judges made improper rulings in his civil appeal. These allegations relate directly to the merits of the judges' rulings and must therefore be dismissed. See In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); Judicial-Conduct Rule 11(c)(1)(B); see also 28 U.S.C. § 352(b)(1)(A)(ii).

Complainant also alleges that the subject judges are biased against civil rights plaintiffs and indigent African-American litigants. Complainant provides no objectively verifiable proof to support these allegations, so these charges must also be dismissed. See In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. 2009); Judicial-Conduct Rule 11(c)(1)(D); see also 28 U.S.C. § 352(b)(1)(A)(iii).

Last, complainant alleges that the judges created “a false case number” for his appeal “with the intent to obfuscate [him].” But judges don’t assign or

supervise the assignment of case numbers, and regardless, a review of the appellate and district court dockets reveals no infirmity with the case numbers assigned. Because there's no evidence of misconduct, this charge is dismissed.

See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.