

FILED

AUG 20 2015

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 14-90151

ORDER

THOMAS, Chief Judge:

Complainant alleges that a district judge erred in refusing to order the defendant in a criminal case to pay restitution to her. An examination of the record shows that the restitution claim was never presented to the district court, and the judge thus never “refused” to order restitution. To the extent the claim refers to the general restitution order, the 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).

DISMISSED.