FILED

MAY 19 2015

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

JUDICIAL COUNCIL

OF THE NINTH CIRCUIT

IN RE COMPLAINT OF	Nos. 14-90183 and 14-90184
JUDICIAL MISCONDUCT	**ORDER**

THOMAS, Chief Judge:

Complainant alleges that a district judge took part in a fraudulent "indictment swapping scheme" by submitting a verdict form to the jury that did not comport with the indictment in his criminal case. Complainant also alleges that the judge "suborn[ed] perjury" by allowing the case to proceed. The subject judge was not assigned to the underlying case until several years after the alleged misconduct occurred. Complainant previously raised these same claims against the district judge who was assigned to the case during the relevant period, and such claims have already been dismissed as unfounded. See In re Charge of Judicial Misconduct, No. 07-89063 (9th Cir. Jud. Council 2007); In re Complaint of Judicial Misconduct, Nos. 08-90017+ (9th Cir. Jud. Council 2009).

Complainant further alleges that a circuit judge "joined the cover up" by issuing a pre-filing review order. The record shows that in a separate civil case, the appellate court ordered that any future pro se, uncertified appeals by

complainant would be subject to pre-filing review, due to complainant's practice of burdening the court with meritless litigation. Complainant's allegation that this order was part of a "cover up" is frivolous and unfounded, and is dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(C), (D).

Complainant has filed at least eight separate judicial misconduct complaints and was previously warned that he may be restricted from filing further complaints. See In re Complaint of Judicial Misconduct, Nos. 08-90246+ (9th Cir. Jud. Council 2009). Complainant is therefore ordered to show cause as to why he should not 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 date 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.