

**FILED**

SEP 9 2015

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

No. 15-90000

**ORDER**

Before: **THOMAS**, Chief Judge, **WALLACE**, **PAEZ**, **TALLMAN**, **CALLAHAN** and **MURGUIA**, Circuit Judges, **R. COLLINS**, **KING** and **WINMILL**, Chief District Judges, and **ILLSTON** and **ISHII**, District Judges

Pursuant to Article V of the Rules for Judicial-Conduct and Judicial-Disability Proceedings under 28 U.S.C. § 352(c), complainant has filed a petition for review of the order of the Chief Judge entered on June 29, 2015, dismissing the complaint against a magistrate judge of this circuit.

In the petition for review, complainant raises new allegations of bias against the subject magistrate judge. The Judicial Council will not consider new allegations or evidence not included within the misconduct complaint for which review is sought. Even if the Judicial Council did consider these new allegations, they lack sufficient evidence to raise an inference that misconduct has occurred. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009) (“adverse rulings alone do not constitute proof of bias”); Judicial-Conduct Rule 11(c)(1)(D).

We have carefully reviewed the record and the authorities cited by the Chief Judge in his order of dismissal. We conclude there is no basis for overturning the order of dismissal.

For the reasons stated by the Chief Judge and based upon the controlling authority cited in support thereof, we affirm.