FILED

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

JUDICIAL COUNCIL

OF THE NINTH CIRCUIT

IN RE COMPLAINT OF	Nos. 15-90019 and 15-90039
JUDICIAL MISCONDUCT	**ORDER**

PREGERSON, Circuit Judge[1]:

Complainant, a pro se litigant, alleges that a district judge and magistrate judge improperly denied his requests for counsel, discovery, and relief. These charges relate directly to the merits of the judges' 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).

Complainant further alleges that the subject judges have violated his rights to privacy, and that one of the judges improperly authorized law enforcement to enter and wiretap his residence. Complainant provides no objectively verifiable evidence to support these allegations, which must be dismissed. See In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. 2009); Judicial-Conduct

[1]This complaint was assigned to Circuit Judge Harry Pregerson pursuant to Judicial-Conduct Rule 25(f).

Rule 11(c)(1)(D).

Complainant claims that his underlying civil cases "have been on the docket for over two years." Complainant offers no evidence that the alleged delay is based on improper motive, or that the subject judges have habitually delayed ruling in a significant number of unrelated cases, and accordingly this charge must be dismissed. See In re Complaint of Judicial Misconduct, 584 F.3d 1230, 1231 (9th Cir. 2009); Judicial-Conduct Rule 3(h)(3)(B).

Complainant also alleges that "several people," who he fails to identify, incorrectly advised him to file his documents at an inconveniently located courthouse. Since complainant fails to identify any misconduct by a covered judge, and presumably is complaining about information provided by court staff, this charge must be dismissed. See In re Complaint of Judicial Misconduct, 632 F.3d 1287, 1288 (9th Cir. 2011) ("the misconduct complaint procedure applies only to federal judges"); Judicial-Conduct Rule 4.

Throughout complainant's misconduct complaints and supplemental documents, complainant repeatedly uses profanity and abusive language and makes other inappropriate comments. Complainant is cautioned that a "complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further

complaints." See In re Complaint of Judicial Misconduct, 632 F.3d 1287, 1288 (9th Cir. 2011); Judicial-Conduct Rule 10(a).

DISMISSED.