

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**FILED**

OCT 13 2015

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

|  |
|--|
| <p><b>IN RE COMPLAINT OF<br/>JUDICIAL MISCONDUCT</b></p> |
|--|

No. 15-90132

**ORDER**

**THOMAS**, Chief Judge:

Complainant, a pro se prisoner, alleges that the district judge who dismissed his habeas petition made various erroneous rulings. These claims 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).

Complainant also alleges that the judge had a conflict of interest because complainant named her as a respondent in the habeas petition. A litigant is not entitled to force recusal of the judge assigned to his case by adding her as a defendant. See United States v. Studley, 783 F.2d 934, 939–40 (9th Cir. 1986); see also Advisory Op. 103, Comm. on Codes of Conduct, Jud. Conf. of the U.S. (updated 2014). This charge is dismissed for failing to allege any misconduct. See 28 U.S.C. § 352(b)(1)(A)(i); Judicial-Conduct Rule 11(c)(1)(A).

Finally, complainant alleges that the judge was biased against him and ignored prosecutorial misconduct. Adverse rulings, without more, do not prove

bias. In re Complaint of Judicial Misconduct, 631 F.3d 961, 963 (9th Cir. Jud. Council 2011). Because there is no evidence of misconduct, these charges must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

**DISMISSED.**