

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

DEC 21 2015

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

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| <p>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</p> |
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No. 15-90147

ORDER

THOMAS, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge acted without jurisdiction, violated the Constitution and abused her discretion. Complainant also claims that the judge made improper rulings in his civil cases, including failing to recuse. 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); In re Complaint of Judicial Misconduct, 647 F.3d 1181 (9th Cir. Jud. Council 2011) (holding that the decision not to recuse, absent evidence of an improper motive, is merits-related); Judicial-Conduct Rule 11(c)(1)(B).

Complainant also alleges that the judge “claimed a fraud story” and “claimed fraud statement.” Complainant provides no evidence to support these allegations, and these claims are dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.