

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

JUL 11 2016

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

<p>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</p>
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No. 16-90012

ORDER

THOMAS, Chief Judge:

Complainant alleges that a district judge made erroneous rulings in his criminal case, including finding that complainant had testified falsely at trial. These allegations 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 claims that the judge was biased and conspired with prosecutors to conceal exculpatory evidence. Adverse rulings are not proof of bias or conspiracy. See In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. 2009). Further, complainant provides no objectively verifiable proof (for example, names of witnesses, recorded documents or transcripts) to support his allegations of bias or conspiracy. See In re Complaint of Judicial Misconduct, 569 F.3d 1093 (9th Cir. 2009). Without such evidence, these charges must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant also alleges that the judge used his office to “malign, libel and injure” complainant, made sure that he was “tortured, maimed and isolated,” and threatened him. Because complainant presents no evidence for these outlandish claims, these charges must be dismissed as unsupported. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.