FILED

AUG 1 2016

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

JUDICIAL COUNCIL

OF THE NINTH CIRCUIT

IN RE COMPLAINT OF	No. 16-90089
JUDICIAL MISCONDUCT	**ORDER**

THOMAS, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge embezzled and extorted funds from complainant when he denied her motion to waive case filing fees. Further, complainant suspects that the district judge "strung the case along," dismissing it only after the filing fee was paid in full. However, complainant offers no objectively verifiable evidence to support this claim, which is dismissed as frivolous and unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 579 F.3d 1062, 1064 (9th Cir. Jud. Council 2009); In re Complaint of Judicial Misconduct, 569 F.3d 1093 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 11(c)(1)(C), (D). To the extent that complainant alleges that the judge improperly delayed the case, she offers no evidence that the alleged delay is based on improper motive, or that the district judge has habitually delayed ruling in a significant number of unrelated cases. Accordingly, this charge must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct

Rule 3(h)(3)(B); In re Complaint of Judicial Misconduct, 584 F.3d 1230, 1231 (9th Cir. Jud. Council 2009).

Complainant also alleges that the district judge was biased against her because she is a pro se prisoner who lacks legal training. Because adverse rulings are not evidence of bias, see In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009), and complainant offers no objectively verifiable proof in support of this allegation, it must be dismissed as unsupported. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Finally, complainant alleges that the judge improperly denied her motion to disqualify him. Complainant filed the motion to disqualify a month after the case terminated, and the judge denied the motion because the case was closed. This charge must be dismissed as merits-related. See 28 U.S.C. § 352(b)(1)(A)(ii); In re Complaint of Judicial Misconduct, 647 F.3d 1181 (9th Cir. Jud. Council 2011); Judicial-Conduct Rule 11(c)(1)(B).

DISMISSED.