JUDICIAL COUNCIL

OF THE NINTH CIRCUIT

IN RE COMPLAINT OF

JUDICIAL MISCONDUCT

No. 16-90095

ORDER

THOMAS, Chief Judge:

Complainant, a debtor in a bankruptcy proceeding, alleges that a bankruptcy judge has abused judicial power and disregarded the rule of law. To the extent complainant challenges the judge's procedural or substantive rulings, such allegations relate directly to the merits of the judge's rulings and must 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 alleges that the judge, by making unspecified remarks, "posed as a dictator or king" in the underlying proceedings. A review of the record, including transcripts and audio recordings of the relevant hearings, does not reveal any instances of hostility, bias, disregard of the law, or any other misconduct. Moreover, complainant does not specify any allegedly improper comments, nor does he explain how the judge abused power or disregarded the law.

Complainant's vague and conclusory allegations fail to raise any inference that misconduct has occurred, and these charges must be dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 650 F.3d 1370, 1372 (9th Cir. Jud. Council 2011) (rejecting complainant's "invitation for the Judicial Council to conduct a fishing expedition" and explaining that "vague accusations and convoluted demands don't satisfy complainant's obligation to provide objective evidence of misconduct"); Judicial-Conduct Rules 11(c)(1)(A), (D).

To the extent complainant raises allegations against opposing counsel, parties, or witnesses in the underlying case, such allegations are dismissed because this misconduct complaint procedure applies only to federal judges. See In re Complaint of Judicial Misconduct, 632 F.3d 1287, 1288 (9th Cir. Jud. Council 2011); Judicial-Conduct Rule 4.

DISMISSED.