

FILED

FEB 9 2017

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 16-90146

ORDER

Before: **CANBY, CALLAHAN, M. SMITH, N.R. SMITH** and **MURGUIA**,
Circuit Judges, **MOSKOWITZ, WINMILL** and **PHILLIPS**, Chief
District Judges, and **AIKEN** and **MOLLWAY**, District Judges

Pursuant to Article V of the Rules for Judicial-Conduct and Judicial-
Disability Proceedings under 28 U.S.C. § 352(c), complainant has filed a petition
for review of the order of the Chief Judge entered on December 5, 2016,
dismissing the complaint against a district judge of this circuit.

We have carefully reviewed the record and the authorities cited by the Chief
Judge in his order of dismissal. We conclude there is no basis for overturning the
order of dismissal.

For the reasons stated by the Chief Judge and based upon the controlling
authority cited in support thereof, we affirm.