

FILED

DEC 13 2016

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 16-90174

ORDER

THOMAS, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge treated him in an “egregious and hostile manner.” However, complainant does not specify any allegedly improper comments or point to any specific incidents that would support his claim of misconduct. Complainant’s vague and conclusory allegation fails 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); Judicial-Conduct Rules 11(c)(1)(D). Any disagreement complainant has with the judge’s rulings is merits-related and not cognizable in misconduct proceedings. 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 also alleges that the judge is biased against him, but offers no objectively verifiable evidence in support of this allegation, which is dismissed as

unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009)(noting that “adverse rulings alone do not constitute proof of bias”); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.