

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

JUL 6 2026

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

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 26-90141

ORDER

MURGUIA, Chief Judge:

Complainant has filed a complaint of judicial misconduct against a magistrate judge. Review of this complaint is governed by the Rules for Judicial-Conduct and Judicial-Disability Proceedings (“Judicial-Conduct Rules”), the federal statutes addressing judicial conduct and disability, 28 U.S.C. § 351 *et seq.*, and relevant prior decisions of the Ninth Circuit Judicial Council. In accordance with these authorities, the name of complainant and the subject judge shall not be disclosed in this order. *See* Judicial-Conduct Rule 11(g)(2).

The Judicial Conduct and Disability Act provides a remedy if a federal judge “has engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts.” 28 U.S.C. § 351(a). A chief judge may dismiss a complaint if, following review, he or she finds it is not cognizable under the statute, is directly related to the merits of a decision or procedural ruling, or is frivolous or lacks sufficient evidence to raise an inference of misconduct. *See* 28

U.S.C. § 352(b)(1)(A)(i)-(iii). Judicial misconduct proceedings are not a substitute for the normal appellate review process and may not be used to seek reversal of a judge's decision, to obtain a new trial, or to request reassignment to a different judge.

As background, a jury convicted complainant of multiple counts of impersonating a federal officer in violation of 18 U.S.C. § 912. Complainant has filed numerous misconduct complaints relating either to those proceedings or to other numerous lawsuits he has filed over the last several years. Here, the subject judge was assigned to several of complainant's matters.

Complainant alleges that the magistrate judge improperly delegated "the signing and review of federal affidavits" to assist the "prison industrial complex." Complainant also believes the magistrate judge is conspiring with the U.S. Attorney's office to turn a "blind eye" to erroneous criminal complaints. Complainant further claims that the magistrate judge is working with other judges to commit financial crimes to aid foreign enemies of the United States.

Complainant provides no objectively verifiable evidence to support his meritless and facially incredible allegations. Therefore, these allegations are dismissed as frivolous and unfounded. *See* 28 U.S.C. § 352(b)(1)(A)(iii) (listing reasons the chief judge may decide to dismiss the complaint, including claims that

are frivolous or are lacking sufficient evidence to raise an inference that misconduct has occurred); *In re Complaint of Judicial Misconduct*, 569 F.3d 1093 (9th Cir. Jud. Council 2009) (“claimant’s vague insinuations do not provide the kind of objectively verifiable proof that we require”); Judicial-Conduct Rule 11(c)(1)(C), (D); *see also* Commentary on Judicial-Conduct Rule 11 (dismissing a complaint as frivolous is appropriate when allegations are facially incredible or so lacking in indicia of reliability that no further inquiry is warranted).

DISMISSED.