

JUL 15 2008

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

No. 07-89104  
**ORDER**

Before: **THOMPSON, THOMAS, MCKEOWN** and **BERZON**, Circuit Judges, and **GONZALEZ, HATTER, LASNIK, MOLLOY** and **STOTLER**, District Judges.\*

Pursuant to Chapter III of the Rules of the Judicial Council Governing Complaints of Judicial Misconduct or Disability under 28 U.S.C. § 352(c), complainant has filed a petition for review of the order of the Chief Judge entered on April 25, 2008, 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.

\*Hon. Susan P. Graber did not participate in the consideration of this matter.