

FILED

JAN 06 2009

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 08-90024

ORDER

KOZINSKI, Chief Judge:

A misconduct complaint has been filed against a magistrate judge. Complainant, a pro se prisoner, previously filed a misconduct complaint against the subject judge; that complaint was dismissed by the chief circuit judge. The current complaint merely repeats the allegations raised in the prior complaint. The chief judge's prior order renders this complaint moot.

DISMISSED.