

JUN 16 2009

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

Nos. 08-90109, 08-90110 and
08-90111
ORDER

Before: **THOMPSON, THOMAS, GRABER, MCKEOWN** and
RAWLINSON, Circuit Judges, **A. COLLINS, GONZALEZ,**
LASNIK and **WHALEY**, Chief District Judges, and **HATTER**,
District Judge

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 Circuit Judge Pregerson, entered on April 14, 2009, dismissing the complaint against two circuit judges and one district judge of this circuit.

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

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