

MAR 16 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALSJUDICIAL COUNCIL
OF THE NINTH CIRCUIT

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 09-90095

ORDER**KOZINSKI**, Chief Judge:

Complainant, a pro se litigant, alleges that the magistrate judge referred to her civil case was hostile towards her. But the judge's allegedly improper statements identified by complainant were entirely benign. Further, judges are ordinarily not responsible for transcribing minute orders, so any errors in such an order do not constitute judicial misconduct. Complainant hasn't provided any other objectively verifiable proof (for example, names of witnesses, recorded documents or transcripts) to support her allegation of hostility. See In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. Jud. Council 2009). Because there is no evidence that misconduct occurred, this charge must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.