

FILED

JUL 07 2010

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 09-90220

ORDER

KOZINSKI, Chief Judge:

Complainant, a pro se prisoner, has filed a misconduct complaint against a district judge who dismissed his habeas petition. Because complainant “plead[ed] the Fifth” rather than declare “under the penalty of perjury” that the statements in his complaint were true and correct to the best of his knowledge, the complaint is reviewed under Judicial-Conduct Rule 5. See Judicial-Conduct Rules 5(b), 6(d). The complaint and accompanying exhibits provide no information constituting reasonable grounds for any further inquiry.

DISMISSED.