

FILED

AUG 26 2010

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 09-90255

ORDER

KOZINSKI, Chief Judge:

Complainant alleges that a district judge made several improper rulings in her civil case. Charges that relate directly to the merits of the judge's rulings are not cognizable under the misconduct complaint procedure and must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 3(h)(3)(A); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982).

Complainant also suggests that the judge must be mentally disabled because of his rulings against complainant. But adverse rulings alone are not proof of a disability, see In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. 2009), and complainant provides no other supporting evidence.

Complainant's request for the case to be reassigned to a new judge is not cognizable under the misconduct complaint procedure. See Judicial-Conduct Rule 11(a).

DISMISSED.