

DEC 03 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

Before: **KOZINSKI**, Chief Judge, **HUG**, **THOMAS**, **FISHER**, **GOULD**,
and **RAWLINSON**, Circuit Judges, **A. COLLINS**, **HUNT** and
WALKER, Chief District Judges, and **MCNAMEE** and **WHALEY**,
District Judges

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 the Chief Judge entered on August 26, 2010, dismissing the complaint against a district judge of this circuit.

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

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