

NOV 18 2009

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

Nos. 09-90032 and 09-90033

ORDER**KOZINSKI**, Chief Judge:

Complainant alleges that the district judge and magistrate judge assigned to his habeas petition made various improper substantive and procedural rulings. These charges relate directly to the merits of the judges' rulings and must therefore be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982). Similarly, complainant's requests for habeas-style review of his prior proceedings cannot be granted through the misconduct procedure and are therefore dismissed. See Judicial-Conduct Rule 3(h)(3)(A); In re Complaint of Judicial Misconduct, 567 F.3d 429, 430 (9th Cir. Jud. Council 2009).

DISMISSED.