

JUL 12 2010

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

Nos. 10-90021 and 10-90022

ORDER**KOZINSKI**, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge and a magistrate judge improperly denied his requests to appoint counsel. This charge relates directly to the merits of the judges' rulings and must 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).

Complainant also seems to allege that the judges were biased against him and committed some unspecified impropriety. But complainant hasn't provided objectively verifiable proof to support these allegations, and adverse rulings alone aren't proof of bias or impropriety. See In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009). Because there's no evidence of misconduct, these charges must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.