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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 10-90023

ORDER**KOZINSKI**, Chief Judge:

Complainant has filed a misconduct complaint against a district judge. Complainant previously filed two materially identical complaints against this judge, as well as a third complaint against another judge. I dismissed those complaints because the charges were merits-related, and lacked objectively verifiable proof and factual foundation. See In re Complaint of Judicial Misconduct, No. 08-90201 (9th Cir. Jud. Council 2009); In re Complaint of Judicial Misconduct, Nos. 08-90082 and 08-90103 (9th Cir. Jud. Council 2009). The current complaint ignores both the Judicial Conduct and Disability Act and my prior rulings. Therefore, it is summarily dismissed.

In my order dismissing complainant's last misconduct complaint, I cautioned that a "complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints." See In re Complaint of Judicial Misconduct, No.

08-90201. Complainant is therefore ordered to show cause why he should not be sanctioned by an order requiring him to obtain leave before filing any further misconduct complaints. See Judicial-Conduct Rule 10(a); In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009).

Complainant has thirty days from the filing of this order to file a response, which will be transmitted to the Judicial Council for its consideration. Failure to file a timely response to this order will be construed as consent to the immediate imposition of sanctions.

COMPLAINT DISMISSED. COMPLAINANT ORDERED TO SHOW CAUSE.