

SEP 08 2011

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 10-90054

ORDER**KOZINSKI**, Chief Judge:

Complainant alleges that the district judge who conducted his criminal trial condoned perjury, conspired to conceal evidence and demonstrated bias against him by showing hostility toward his attorney. Complainant further alleges that the judge has a “mental issue.” These are serious charges, but they must be dismissed because complainant’s “exhibits” contain no objectively verifiable proof. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D); In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. 2009). Complainant’s allegations against his attorney, federal prosecutors, a sheriff and a state court judge fare no better, as the misconduct complaint procedures apply only to federal judges. See Judicial-Conduct Rule 4; Complaint of Judicial Misconduct, 569 F.3d at 1093.

DISMISSED.