

APR 08 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

Nos. 10-90089 and 10-90090
ORDER

Before: **KOZINSKI**, Chief Judge, **HUG**, **THOMAS**, **GOULD**, and **RAWLINSON**, Circuit Judges, **A. COLLINS**, **HUNT** and **WARE**, 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 January 31, 2011, dismissing the complaints against two circuit judges 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.

*Hon. Raymond C. Fisher did not participate in the consideration of this matter.