

FEB 14 2011

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 10-90129

ORDER**KOZINSKI**, Chief Judge:

A pro se litigant alleges that a judge improperly handled his case, and should not have transferred it to another district. These charges relate directly to the merits of the judge's 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).

Any charges of misconduct against a court clerk must be dismissed because the misconduct proceedings apply only to judges. See Judicial-Conduct Rule 4.

Complainant further alleges that an out-of-circuit judge violated a federal rule, although there's no indication that judge was involved in complainant's case. The Judicial Council has no jurisdiction over judges outside the circuit. See Judicial-Conduct Rule 7(a). The charge must therefore be dismissed. See Judicial-Conduct Rule 11(c)(1)(F).

DISMISSED.