

MAY 16 2011

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

No. 10-90173

**ORDER**

**KOZINSKI**, Chief Judge:

A pro se prisoner “ha[s] reason to suspect that [a magistrate] judge is participating in judicial misconduct, because” the judge ordered him to “send four completed in forma pauperis forms” even though the first form he submitted was purportedly correct. This charge relates 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).

Complainant’s charge that “the judge will not be fair in this case” is dismissed as moot because the case has been transferred to a different judge. See Judicial-Conduct Rule 11(e).

**DISMISSED.**