

MAY 05 2011

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

JUDICIAL COUNCIL
OF THE NINTH CIRCUIT

IN RE COMPLAINT OF
JUDICIAL MISCONDUCT

Nos. 11-90037 and 11-90038

ORDER

KOZINSKI, Chief Judge:

A pro se prisoner alleges that a district judge and a magistrate judge intentionally ignored motions he filed in his case. But the docket sheet shows that the district judge ruled on them without any significant delay. There is no evidence that the judge hadn't read the motions or conspired against complainant. Because there is no proof that either judge acted improperly, these charges must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D). To the extent complainant challenges specific rulings, his claims are dismissed as merits-related. See 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B).

Complainant's allegations against various detectives, counsel and state judges are dismissed because the misconduct complaint procedure applies only to federal judges. See Judicial-Conduct Rule 4.

DISMISSED.