

DEC 02 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT****IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 11-90065

ORDER**KOZINSKI**, Chief Judge:

Complainant alleges that a district judge had a “biased and arrogant attitude” and treated his relatives, who were claimants in a securities fraud case, “in a demonstrably egregious and hostile manner” during a hearing. A review of the hearing transcript shows that the judge made a pointed inquiry into the claimants’ knowledge of the fraudulent fund. Vigorous colloquy with counsel concerning the merits of the case is entirely proper. Because the judge’s comments did not prejudice the effective and expeditious administration of the business of the courts, this claim must be dismissed. See Judicial-Conduct Rule 11(c)(1)(A). Further, adverse rulings aren’t proof of bias, so this claim must also be dismissed. See In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009).

DISMISSED.