

JUL 19 2011

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

IN RE COMPLAINT OF  JUDICIAL MISCONDUCT
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No. 11-90084

**ORDER****KOZINSKI**, Chief Judge:

Complainant, a pro se plaintiff, previously filed a misconduct complaint alleging that a district judge ruled improperly in his civil case. I dismissed those charges as merits-related and unsupported. See In re Complaint of Judicial Misconduct, No. 11-90039 (9th Cir. Jud. Council 2011). The current complaint raises fundamentally the same charges raised in the prior complaint, and complainant again fails to provide any evidence. My prior order therefore makes further action on the charges unnecessary. See In re Complaint of Judicial Misconduct, 563 F.3d 853, 854 (9th Cir. Jud. Council 2009). Further, complainant is advised that a judge need not recuse or stay a case while a misconduct complaint against him is pending. See In re Complaint of Judicial Misconduct, 583 F.3d 599 (9th Cir. Jud. Council 2009).

**DISMISSED.**