

FILED

MAR 26 2012

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 11-90102

ORDER

KOZINSKI, Chief Judge:

Complainant alleges that a district judge committed judicial misconduct by making comments and interventions during a criminal trial. Complainant was not a party in the case. A review of the entire trial transcript shows that the judge intervened mostly to move testimony expeditiously along, which was entirely proper. While a few remarks were more pointed, none of the judge's comments and interventions prejudiced the effective and expeditious administration of the business of the courts, and thus this complaint must be dismissed. See Judicial-Conduct Rule 11(c)(1)(A).

DISMISSED.