

SEP 08 2011

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 11-90113

ORDER**KOZINSKI**, Chief Judge:

Two pro se litigants allege that a district judge demonstrated bias against them in a civil case, and entered into a criminal conspiracy with defense counsel to deprive them of their rights. A review of the hearing transcript shows that the exchange between the judge and defense counsel to which complainants point was proper; there is no indication that the judge and defense counsel had any agreement of any kind. Complainants' remaining evidence of alleged bias and conspiracy consists of adverse rulings, which cannot alone prove bias. See In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009). Any disagreement complainants have with the judge's rulings is merits-related and not cognizable in misconduct proceedings. See 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B).

DISMISSED.