

OCT 07 2011

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 11-90131

ORDER**KOZINSKI**, Chief Judge:

Complainant, a pro se plaintiff, previously filed two misconduct complaints alleging that a district judge made improper rulings in his civil case. I dismissed the first complaint as merits-related and unsupported, and found no further action necessary on the second complaint. See In re Complaint of Judicial Misconduct, No. 11-90039 (9th Cir. Jud. Council 2011); In re Complaint of Judicial Misconduct, No. 11-90084 (9th Cir. Jud. Council 2011). The current complaint raises fundamentally the same charges, and complainant again fails to provide any evidence other than adverse rulings. My prior orders therefore make further action unnecessary. See Judicial-Conduct Rule 11(c)(1)(C); In re Complaint of Judicial Misconduct, 563 F.3d 853, 854 (9th Cir. Jud. Council 2009).

Further misconduct complaints presenting fundamentally the same allegations may be summarily dismissed as frivolous. Moreover, complainant is cautioned that a “complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted

from filing further complaints.” Judicial-Conduct Rule 10(a); see also In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009).

DISMISSED.