

JUL 23 2012

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

Nos. 12-90024 & 12-90025

ORDER**KOZINSKI**, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge and a magistrate judge made improper rulings in his civil case. Contrary to complainant's assertions, his allegations relate directly to the merits of the judges' rulings and must therefore be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); Judicial-Conduct Rule 11(c)(1)(B).

Complainant also alleges that the judges were biased against him. This charge must be dismissed because adverse rulings don't prove bias, and complainant offers no other evidence to support his claim. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 631 F.3d 961, 963 (9th Cir. Jud. Council 2011); Judicial-Conduct Rule 11(c)(1)(D).

Complainant has filed nine previous misconduct complaints—four in the last five years, including one against these same judges. All were dismissed for lack of

evidence of misconduct. Complainant has been warned before about trying to use the misconduct process to obtain review of adverse decisions. Accordingly, he is “ordered to show cause why he should not be sanctioned by an order requiring him to obtain leave before filing any further misconduct complaints.” In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 10(a). He has thirty days from the filing of this order to file a response, which will be sent to the Judicial Council for its consideration.

DISMISSED and COMPLAINANT ORDERED TO SHOW CAUSE.