

JUL 10 2012

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 12-90045

ORDER**KOZINSKI**, Chief Judge:

A pro se litigant alleges that a district judge erroneously dismissed her civil case for lack of jurisdiction. This allegation relates directly to the merits of the judge's ruling and therefore must 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 alleges that by ruling in defendant's favor, the judge aided and participated in defendant's criminal conduct. Because complainant offers no evidence to support this allegation, it is dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant alleges that the judge improperly permitted defendant to change its attorney mid-trial. This allegation relates to the merits of the judge's ruling and must 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's request to have all of her judicial matters transferred to the Ninth Circuit is denied because it is not a form of relief available under the misconduct complaint procedure. See 28 U.S.C. § 354(a)(2); Judicial-Conduct Rule 11(a).

Complainant makes allegations against several out-of-circuit judges although there is no indication those judges were involved in her case. The Judicial Council has no jurisdiction over judges outside of this circuit. See Judicial-Conduct Rule 7(a). The charges must therefore be dismissed. See Judicial-Conduct Rule 11(c)(1)(F).

DISMISSED.