

JUN 26 2012

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

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 12-90059

ORDER**KOZINSKI**, Chief Judge:

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

Complainant's request for the court to issue a mandate allowing him to re-enter the United States 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).

This complaint follows a series of frivolous lawsuits complainant has filed in three jurisdictions. The Southern District of New York warned him that it would "not tolerate the continued filing of frivolous or meritless complaints." If complainant files any further frivolous misconduct complaints, he may be sanctioned. See Judicial-Conduct Rule 10(a); see also In re Complaint of Judicial

Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009).

DISMISSED.