

JUDICIAL COUNCIL
OF THE NINTH CIRCUIT

FEB 12 2013

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

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| IN RE COMPLAINT OF JUDICIAL MISCONDUCT |
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Nos. 12-90105 and 12-90106

ORDER**KOZINSKI**, Chief Judge:

A pro se litigant alleges that a magistrate judge and a district judge made erroneous rulings in his civil case. These 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 further alleges that the judges were biased against him due to his pro se status. He also claims they conspired with United States Marshals and the court's librarians, among others, to violate the law and to block his access to the courts. But adverse rulings standing alone aren't proof of wrongdoing, see In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. 2009), and complainant provides no objectively verifiable proof—e.g., transcripts or names of witnesses—to support his allegations. See In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. 2009). These charges must be dismissed as wholly unsupported. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule

11(c)(1)(D).

To the extent complainant suggests that actions by court staff, security officers and opposing parties constitute misconduct, these allegations are dismissed because the misconduct complaint procedure applies only to federal judges. See In re Complaint of Judicial Misconduct, 583 F.3d at 598; Judicial-Conduct Rule 4.

DISMISSED.