

APR 2 2015

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT****IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**Nos. 13-90005, 13-90006,  
13-90007, 13-90008, 13-90009,  
13-90010, 13-90011, 13-90012,  
13-90013, 13-90014, 13-90015,  
13-90016, 13-90017, 13-90018,  
13-90019, 13-90020, 13-90021,  
13-90022 and 13-90023**ORDER****REINHARDT**, Circuit Judge<sup>1</sup>:

Two pro se litigants allege that twelve circuit judges and seven district judges engaged in a conspiracy when they adversely ruled against complainants in a bankruptcy case and other related bankruptcy and civil matters. Adverse rulings are not proof of conspiracy. In re Complaint of Judicial Misconduct, 631 F.3d 961, 963 (9th Cir. Jud. Council 2011). Because complainants offer no other evidence to support their claim, the charges must be dismissed as unfounded. 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D). To the extent that complainants disagree with the judges' decisions, those charges must be dismissed

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<sup>1</sup> This complaint was assigned to Circuit Judge Stephen Reinhardt pursuant to 28 U.S.C. § 351(c).

because they relate directly to the merits of the judges' rulings. 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).

Complainants filed a prior judicial misconduct complaint against several bankruptcy judges over ten years ago, which was dismissed because the allegations were unsupported and related to the merits of the judges' rulings. In the current complaint, complainants allege that the former chief judge improperly dismissed their complaint and that the Judicial Council members who affirmed furthered the alleged judicial conspiracy against them. Complainants do not provide evidence that any misconduct occurred, and the charges must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D). To the extent that complainant is challenging the correctness of the judges' orders, this charge is dismissed as merits-related. See Judicial-Conduct Rule 3(h)(3)(A); Commentary on Judicial-Conduct Rule 3 (providing that allegations that a chief judge, or a judge acting in that capacity, incorrectly dismissed a misconduct complaint are properly dismissed as merits-related).

Complainants allege that one of the circuit judges should have recused due to a conflict of interest. This charge relates directly to the merits of the judge's ruling and is therefore 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); In re Complaint of Judicial Misconduct, 623 F.3d 1101, 1102 (9th Cir. Jud. Council 2010) (holding that the decision not to recuse is merits-related); Judicial-Conduct Rule 11(c)(1)(B).

Complainants named one district judge who has since retired, and one district judge who has since died, so the complaints against both of those judges are dismissed as moot. See In re Charge of Judicial Misconduct, 91 F.3d 90, 91 (9th Cir. Jud. Council 1996).

Complainants are cautioned that if they file “repetitive, harassing, or frivolous complaints,” or otherwise “abuse the complaint procedure,” they “may be restricted from filing further complaints.” See Judicial-Conduct Rule 10(a).

**DISMISSED.**