

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

NOV 21 2014

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

<p>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</p>
--

No. 13-90077

ORDER

KOZINSKI, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge improperly denied and rejected complainant's motions in his habeas case and dismissed his habeas petition. These allegations call into question the correctness of the judge's decisions, and must be dismissed because they relate directly to the merits of those decisions. See Judicial-Conduct Rule 3(h)(3)(A); Judicial-Conduct Rule 11(c)(1)(B); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); see also 28 U.S.C. § 352(b)(1)(A)(ii).

Complainant further alleges that the judge committed, and conspired with others to commit, acts of treason against the United States. However, adverse rulings alone aren't evidence of treason or conspiracy, see In re Complaint of Judicial Misconduct, 631 F.3d 961, 962–63 (9th Cir. Jud. Council 2011), and complainant provides no other evidence to support these very serious allegations, see In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. Jud. Council 2009). Therefore, they must be dismissed as unsupported. See Judicial-

Conduct Rule 11(c)(1)(D); see also 28 U.S.C. § 352(b)(1)(A)(iii).

Complainant also objects to Ninth Circuit Local Misconduct Rule 6.1(d), which requires a written acknowledgment that this misconduct procedure “cannot change the outcome of the underlying case.” But that is the law, see 28 U.S.C. § 354, and any objection complainant has to this requirement must be directed to Congress.

Complainant’s requested forms of relief, such as referral of the judge for criminal prosecution, impeachment of the judge and forfeiture, are not forms of relief available under the misconduct complaint procedure. See Judicial-Conduct Rule 11(a); see also 28 U.S.C. § 354(a).

DISMISSED.