

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**FILED**

JUN 09 2014

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

<p><b>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</b></p>
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No. 13-90079

**ORDER**

**KOZINSKI**, Chief Judge:

A pro se prisoner alleges that a district judge made erroneous rulings in his civil cases. These allegations relate directly to the merits of the judge’s 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 judge was racially biased against him and conspired with defendants. But adverse rulings aren’t proof of bias or conspiracy, and complainant hasn’t offered any other evidence of misconduct, so these charges must be dismissed. See In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. 2009); see also 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

In a supplement, complainant requests that this judge not be assigned any “further pleadings” in his pending civil case. This form of relief is not available under the misconduct complaint procedure. See 28 U.S.C. § 354(a)(2); Judicial-

Conduct Rule 11(a).

Complainant has filed eight previous misconduct complaints, all of which were dismissed as conclusory or because the allegations related to the merits of the judges' rulings. In a previous order disposing of claims from this complainant, I cautioned that a "complainant [who has filed] repetitive, harassing, or frivolous complaints, or otherwise abuses the complaint procedure . . . may be restricted from filing further complaints." See In re Complaint of Judicial Misconduct, No. 10-90169 (internal quotation marks and alterations omitted). Complainant is thus ordered to show cause why he shouldn't be sanctioned by barring him from filing further misconduct complaints unless he is granted leave to do so. See In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009). Complainant has thirty-five days from the filing of this order to file a response, which will be transmitted to the Judicial Council for its consideration.

**DISMISSED and COMPLAINANT ORDERED TO SHOW CAUSE.**