

FILED

JUN 09 2014

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 13-90104

ORDER

KOZINSKI, Chief Judge:

A pro se prisoner alleges that a magistrate judge disparaged his character in an order. The judge merely hypothesized one possible reason for Complainant's noncompliant filing, but did not clearly disparage his character. Moreover, the judge proceeded to consider Complainant's filing on the merits, without regard to the noncompliance. Because the judge's comments did not prejudice the effective and expeditious administration of the business of the courts, this claim must be dismissed. See Judicial-Conduct Rule 11(c)(1)(A).

Complainant's request to remove the allegedly prejudicial remarks from the order 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).

DISMISSED.