

JUL 17 2014

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALSJUDICIAL COUNCIL
OF THE NINTH CIRCUIT

IN RE COMPLAINT OF JUDICIAL MISCONDUCT

No. 13-90133

ORDER**KOZINSKI**, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge made erroneous rulings in his civil case. 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 alleges these rulings show that the judge favored the defendants, but adverse rulings alone cannot prove bias. Because complainant offers no other evidence, this charge must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 11(c)(1)(D).

Complainant also contends that the judge improperly engaged in ex parte communications with one of the defendants in order to help them avoid default. Because complainant presents no evidence to support this allegation, it must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial

Misconduct, 569 F.3d 1093, 1093 (9th Cir. 2009); Judicial-Conduct Rule 11(c)(1)(D).

To the extent complainant complains about actions by court staff, these allegations are dismissed because the misconduct complaint procedure applies only to federal judges. See Judicial-Conduct Rule 4.

DISMISSED.