

FILED

AUG 21 2014

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 13-90145

ORDER

KOZINSKI, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge improperly dismissed his civil rights case and should not have certified that his appeal was not taken in good faith. He also claims he was denied due process because he was assessed a filing fee without proper screening as to his in forma pauperis status under 28 U.S.C. § 1915. These charges relate directly to the merits of the judge's rulings and are 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); Judicial-Conduct Rule 11(c)(1)(B).

Complainant further alleges that it was improper for a court clerk to request that the judge certify the appeal. This allegation is dismissed because the misconduct complaint procedure applies only to federal judges. See Judicial-Conduct Rule 4.

DISMISSED.