

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

NOV 18 2014

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

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

Nos. 13-90186, 13-90187 and
13-90188

ORDER

KOZINSKI, Chief Judge:

A pro se prisoner alleges that a district judge and two circuit judges made improper rulings in his civil case based on “extraterritorial and extra-judicial information.” To the extent complainant alleges that the judges’ rulings are erroneous, his allegations relate directly to the merits 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).

If complainant is alleging that the subject judges engaged in impermissible ex parte communications, his claims must be dismissed as unsupported.

Complainant has failed to offer any proof that the purported communications occurred, nor has he even alleged whom they were with or why they should be considered misconduct. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant further claims that the subject judges were biased against him. But adverse rulings aren't proof of bias, and complainant hasn't offered any other evidence of misconduct. Complainant's allegation of bias must therefore be dismissed as unfounded. See In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009); see also 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.