

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

NOV 20 2014

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

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

Nos. 13-90194, 14-90000,
14-90001, 14-90002, 14-90003,
14-90004, 14-90005, 14-90006,
14-90007, 14-90008, 14-90009,
14-90010, 14-90011, 14-90012,
14-90013 and 14-90014

ORDER

KOZINSKI, Chief Judge:

Complainant, a pro se litigant, filed sixteen similar complaints of judicial misconduct against seven district judges and nine magistrate judges. Because one of the district judges has retired, the allegations against him are dismissed as moot. See In re Charge of Judicial Misconduct, 91 F.3d 90, 91 (9th Cir. Jud. Council 1996). Complainant alleges that the judges made erroneous rulings in his civil cases. These allegations relate directly to the merits of the judges' rulings and must therefore be dismissed. See Judicial-Conduct Rule 3(h)(3)(A); Judicial-Conduct Rule 11(c)(1)(B); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); see also 28 U.S.C. § 352(b)(1)(A)(ii).

Complainant also alleges that the judges “lack[ed] . . . impartiality” and engaged in “prejudiced, overzealous and malicious conduct.” But complainant

provides no objectively verifiable proof, such as names of witnesses, recorded documents or transcripts, to support these allegations, see In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. Jud. Council 2009), and adverse rulings alone aren't evidence of bias, see In re Complaint of Judicial Misconduct, 631 F.3d 961, 962–63 (9th Cir. Jud. Council 2011); In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009). Thus, these charges are dismissed as unsupported. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 11(c)(1)(D).

Complainant further claims that the judges' alleged "unfaithfulness to the law" was caused in part by "[t]he existence of and apparent clinical manifestation of altered mental states and mental dysfunction." But complainant offers no evidence that any judge suffered from a mental impairment, and thus these allegations are dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 569 F.3d 1093, 1093 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 11(c)(1)(D).

Complainant is cautioned that if he files "repetitive, harassing, or frivolous complaints" or "otherwise abuse[s] the complaint procedure," he "may be

restricted from filing further complaints.” Judicial-Conduct Rule 10(a).

DISMISSED.