

**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. 13-90206, 13-90207,
13-90208, 13-90209, 13-90210
and 14-90016

ORDER

KOZINSKI, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge and five circuit judges made improper rulings in her civil case and violated her constitutional and statutory rights. Complainant alleges that the district judge erred in granting the government’s summary judgment motion, that two of the circuit judges erred in denying her motion to proceed in forma pauperis and for appointment of counsel, and that three of the circuit judges erred in affirming the district court’s grant of summary judgment. All these allegations call into question the correctness of the judges’ rulings, and must be dismissed because they relate directly to the merits of those rulings. 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 she “has never been allowed to appear or to be heard before any federal courts.” Insofar as complainant is complaining about

not having had a hearing, she isn't entitled to a hearing unless the issues raised by her are substantial enough to warrant it. In any event, a failure to grant a hearing is at most a merits issue, not misconduct.

Because complainant doesn't offer any evidence of misconduct besides the merits-related allegations, the complaint must be dismissed as unsupported. See Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.