

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

DEC 17 2014

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

<p>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</p>
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No. 14-90061

ORDER

THOMAS, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge improperly delayed issuing various orders in several civil rights cases, including ordering that his complaints be served on defendants. Shortly after filing this misconduct complaint, complainant requested that all of his cases be voluntarily dismissed. Any allegation of delay is not cognizable as misconduct “unless the allegation concerns an improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases.” Judicial-Conduct Rule 3(h)(3)(B). Because complainant doesn’t provide evidence of either improper motive or habitual delay, this allegation must also be dismissed as unsupported. See Judicial-Conduct Rule 11(c)(1)(D); In re Complaint of Judicial Misconduct, 567 F.3d 429, 431 (9th Cir. Jud. Council 2009); see also 28 U.S.C. § 352(b)(1)(A)(iii).

DISMISSED.