

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

SEP 24 2015

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

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 14-90091

ORDER

THOMAS, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge displayed bias and hostility toward him in an omnibus order in which she declared complainant a vexatious litigant. However, a review of the order shows no sign of hostility. Because the judge's remarks did not prejudice the effective and expeditious administration of the business of the courts, this claim must be dismissed. See Judicial-Conduct Rule 11(c)(1)(A). Further, adverse rulings are not proof of bias, so this claim must also be dismissed. See In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009).

Complainant further alleges that the judge misrepresented some facts and omitted others in the order. Complainant raised similar allegations in a pending appeal. Any disagreement complainant has with the judge's ruling is merits-related and not cognizable in misconduct proceedings. 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).

DISMISSED.