

**FILED**

AUG 24 2015

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

No. 15-90018

**ORDER**

**THOMAS**, Chief Judge:

Complainant alleges that a district judge wrongfully withheld documents in his criminal case. The record reflects that the requested documents were either provided to complainant's counsel in discovery when the case was initially litigated or plainly do not exist. Complainant has presented no objectively verifiable evidence of misconduct in this matter, so the allegation must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial Conduct Rule 11(c)(1)(D). Any disagreement complainant has with the judge's rulings 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.**