

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**

Nos. 15-90068 and 15-90069

ORDER

THOMAS, Chief Judge:

Complainant alleges that a district judge and magistrate judge “arbitrarily and intentionally failed to follow prevailing law.” This allegation relates directly to the merits of the judges’ rulings and must therefore be dismissed. 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).

Complainant’s alleges that the magistrate judge was biased against him due to his pro se prisoner status, but provides no support for that claim. “Under our rules, a judicial misconduct complaint ‘must contain a concise statement that details the specific facts on which the claim of misconduct . . . is based.’” In re Complaint of Judicial Misconduct, 630 F.3d 968, 968–69 (9th Cir. Jud. Council 2010) (quoting Judicial-Misconduct Rule 6(b)). A complainant may not circumvent the “requirement of a brief statement of facts by referencing other materials.” In re Complaint of Judicial Misconduct, 632 F.3d 1287, 1287–88 (9th

Cir. Jud. Council 2011). This allegation is therefore dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(i) and (iii).

DISMISSED.