

FILED

SEP 28 2015

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

Nos. 15-90083 and 15-90084

ORDER

THOMAS, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge made improper rulings in his underlying habeas case, and that a magistrate judge made improper rulings in his underlying civil rights case. These allegations relate directly to the merits of the judges' rulings and must 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 further alleges that both judges are racist and favored the opposing parties. Adverse rulings are not evidence of bias, and complainant provides no objectively verifiable evidence to support these serious allegations, which are dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 11(c)(1)(D).

Complainant has now filed at least three judicial misconduct complaints naming a total of five judges, and each of his complaints have included vague and unsupported allegations of bias. Complainant is cautioned that a “complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints.” Judicial-Conduct Rule 10(a); see also In re Complaint of Judicial Misconduct, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009).

DISMISSED.