

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. 15-90105, 15-90106
and 15-90107

ORDER

THOMAS, Chief Judge:

Complainant, a pro se prisoner, alleges that two district judges and a magistrate judge failed to construe his pleadings liberally, improperly denied his motion for a preliminary injunction, and made other improper rulings in his underlying civil rights and habeas cases. 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 also alleges that all three judges are racist and biased in favor of prison officials, and that one district judge dismissed his habeas petition in retaliation for complainant filing a civil rights complaint. Adverse rulings are not proof of bias or misconduct, and complainant provides no objectively verifiable evidence to support these allegations, which are dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 715 F.3d 747,

749 (9th Cir. Jud. Council 2013); In re Complaint of Judicial Misconduct, 583

F.3d 598 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 11(c)(1)(D).

Complainant's allegations against prison officials are dismissed because this misconduct procedure applies only to federal judges. See In re Complaint of Judicial Misconduct, 632 F.3d 1287, 1288 (9th Cir. Jud. Council 2011); Judicial-Conduct Rule 4.

DISMISSED.