

FILED

FEB 10 2016

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 16-90019

ORDER

THOMAS, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge has treated her unfairly. Complainant offers no evidence in support of this vague allegation, and fails to specify how exactly the judge has treated her unfairly. Accordingly, this charge is 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 also alleges that, in a minute order, the judge misconstrued complainant’s “motion for consideration” as a motion for reconsideration, showing that the judge has either already decided the outcome of the case or needs a “refresher to be alert.” This charge is moot, because the record shows that the judge has vacated that order. See Judicial-Conduct Rule 11(e). In any event, adverse rulings are not evidence of bias, see In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009), and complainant fails to

allege any conduct that would amount to misconduct or disability. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 647 F.3d 1181, 1182 (9th Cir. Jud. Council 2011) (“Because complainant doesn’t allege conduct ‘prejudicial to the effective and expeditious administration of the business of the courts,’ her charges must be dismissed”); Judicial-Conduct Rules 11(c)(1)(A), (B), (D).

DISMISSED.