

**FILED**

JAN 26 2017

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

Nos. 16-90117 and 16-90118

**ORDER**

Before: **CANBY, CALLAHAN, M. SMITH, N.R. SMITH** and **MURGUIA**,  
Circuit Judges, **MOSKOWITZ, WINMILL** and **PHILLIPS**, Chief  
District Judges, and **AIKEN** and **MOLLWAY**, District Judges

Pursuant to Article V of the Rules for Judicial-Conduct and Judicial-  
Disability Proceedings under 28 U.S.C. § 352(c), complainant has filed a petition  
for review of the order of the Chief Judge entered on October 3, 2016, dismissing  
the complaint against a district judge and a magistrate judge of this circuit.

We have carefully reviewed the record and the authorities cited by the Chief  
Judge in his order of dismissal. We conclude there is no basis for overturning the  
order of dismissal.

For the reasons stated by the Chief Judge and based upon the controlling  
authority cited in support thereof, we affirm.