

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**FILED**

SEP 22 2016

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

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

No. 16-90119

**ORDER**

**THOMAS**, Chief Judge:

Complainant alleges that a district judge improperly handled the bench trial in his civil case and did not consider relevant evidence. These claims relate directly to the merits of the judge's 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 alleges these rulings show that the judge favored the defendant; however, adverse rulings alone cannot prove bias. Because complainant offers no other evidence in support of these allegations, this charge must be dismissed. 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's request for a new trial is not a form of relief available under this misconduct complaint procedure, and is denied. See 28 U.S.C. § 354(a)(2); Judicial-Conduct Rule 11(a).

**DISMISSED.**