

FILED

DEC 7 2016

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

Nos. 16-90136, 16-90137
and 16-90138

ORDER

Before: **CANBY, CALLAHAN, M. 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 September 29, 2016, dismissing the complaints against two circuit judges and a district 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.

*Hon. N. Randy Smith did not participate in the consideration of this matter.