

FILED

OCT 24 2016

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 16-90143

ORDER

THOMAS, Chief Judge:

A pro se prisoner submitted a complaint against a magistrate judge that lacks a brief statement of facts. “Under our rules, a judicial misconduct complaint ‘must contain a concise statement that details the specific facts on which the claim of misconduct or disability is based.’” In re Complaint of Judicial Misconduct, 630 F.3d 968, 968–69 (9th Cir. Jud. Council 2010) (quoting Judicial-Conduct Rule 6(b)). “A complainant may not circumvent Rule 6(b)[] . . . by referencing other materials,” In re Complaint of Judicial Misconduct, 632 F.3d 1287, 1287–88 (9th Cir. Jud. Council 2011), which includes documents drawn up for another purpose. See In re Complaint of Judicial Misconduct, 630 F.3d at 968–69. Because complainant submitted no statement of facts setting forth his allegations of misconduct, the complaint must be dismissed.

DISMISSED.