

FILED

DEC 5 2016

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 16-90150

ORDER

THOMAS, Chief Judge:

A pro se prisoner alleges that a magistrate judge improperly screened his civil complaints. Any disagreement complainant has with the judge’s rulings is merits-related and not cognizable in a misconduct proceeding. 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 further claims that the judge was biased against him and advocated for the defendants in the screening orders. Because 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 offers no other evidence, complainant’s allegations must be dismissed as unsupported. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant also alleges that the judge “either intentionally or inadvertently” allowed court staff to send legal mail to the wrong prison address.

An individual judge does not have supervisory responsibility over the mail duties of the clerk of court's office. Because complainant offers no evidence to support his claims, these charges are dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D). Any allegations against court staff are dismissed because the misconduct complaint procedure applies only to federal judges. See Judicial-Conduct Rule 4.

DISMISSED.