

**FILED**

DEC 13 2016

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

Nos. 16-90158, 16-90159,  
16-90160, 16-90161, 16-90162,  
16-90163, 16-90164, 16-90165  
and 16-90166

**ORDER**

**THOMAS**, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge improperly denied his request for a jury trial and made various other improper rulings in the underlying civil case. Complainant also appears to allege that the three circuit judges who sat on the appellate panel, as well as five other named judges, improperly affirmed those rulings. These allegations relate directly to the merits of the judges' rulings and must 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 further alleges that all nine subject judges collaborated with the opposing party and are racist. However, adverse rulings are not evidence of conspiracy or bias, and complainant provides no objectively verifiable evidence to support these allegations, which are dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 650 F.3d 1370, 1371

(9th Cir. 2011); In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 11(c)(1)(D).

Complainant's requests that his civil case be reopened or that judgment be entered in his favor are denied, because such relief is unavailable in these misconduct proceedings. See 28 U.S.C. § 354(a)(2); Judicial-Conduct Rule 11(a).

**DISMISSED.**