

FILED

JAN 20 2017

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 17-90002

ORDER

THOMAS, Chief Judge:

Complainant, a pro se litigant, alleges that a magistrate judge has improperly delayed ruling on a motion to proceed in forma pauperis in his civil case. The motion has been pending only a short time. Complainant offers no evidence that the alleged delay is based on improper motive, or that the judge has habitually delayed ruling in a significant number of unrelated cases. Accordingly, this allegation must be dismissed. See In re Complaint of Judicial Misconduct, 584 F.3d 1230, 1231 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 3(h)(3)(B).

DISMISSED.