

**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. 17-90011

**ORDER**

**THOMAS**, Chief Judge:

Complainant alleges that a district judge incorrectly dismissed his civil case and allowed “fraud upon the court.” Further, complainant claims that the judge improperly adopted a magistrate judge’s recommendation to dismiss his habeas petition. These allegations relate directly to the merits of the judge’s 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 also alleges that the judge is biased against him, but offers no objectively verifiable evidence in support of this allegation, which is dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009)(noting that “adverse rulings alone do not constitute proof of bias”); Judicial-Conduct Rule 11(c)(1)(D).

**DISMISSED.**