

FILED

MAR 2 2017

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 17-90017

ORDER

THOMAS, Chief Judge:

Complainant, a pro se litigant, alleges that a magistrate judge made improper procedural and substantive rulings in his civil rights action.

Complainant further alleges that the judge acted without complainant's consent to jurisdiction. Although a magistrate judge is restricted from issuing dispositive orders, the docket shows that the magistrate judge made no dispositive rulings in the case. See 28 U.S.C. § 636(b)(1). To the extent that complainant disagreed with the judge's orders, the charges relate directly to the merits of the judge's rulings and must therefore 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 the magistrate judge failed to report an alleged crime committed by defendants, thereby committing "misprision of felony." Complainant provides no evidence to support these allegations, which

are dismissed as unsupported. See Judicial-Conduct Rule 11(c)(1)(D); see also 28 U.S.C. § 352(b)(1)(A)(iii).

DISMISSED.