

**FILED**

JUL 17 2017

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

No. 17-90059

**ORDER**

**THOMAS**, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge improperly ruled on a pretrial motion that should have been ruled on by a magistrate judge.

Complainant also alleges that the district judge failed to sign an order, and that the order only contained the clerk of court's initials. These allegations are dismissed for failure to allege misconduct. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 647 F.3d 1181, 1182 (9th Cir. Jud. Council 2011) (“Because complainant doesn’t allege conduct ‘prejudicial to the effective and expeditious administration of the business of the courts,’ her charges must be dismissed”); Judicial-Conduct Rules 11(c)(1)(A).

Complainant also speculates that the district judge “had some other influence,” and may have delegated her duties to a clerk (as evidenced by the fact that the clerk of court's initials appear on the judge's orders). These vague and conclusory allegations are 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); In re Complaint of Judicial Misconduct, 569 F.3d 1093 (9th Cir. 2009) (“claimant’s vague insinuations do not provide the kind of objectively verifiable proof that we require”); Judicial-Conduct Rule 11(c)(1)(D).

**DISMISSED.**