

FILED

MAR 21 2018

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 18-90025

ORDER

THOMAS, Chief Judge:

Complainants, who are creditors in a bankruptcy case, allege that a bankruptcy judge has allowed the Chapter 11 case to “drag on.” A review of the docket demonstrates that the case was reassigned from another judge to the subject judge in May of 2017, and that the case has proceeded in due course.

Complainants offer no evidence that the alleged delay was 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).

To the extent that complainants challenge the judge’s handling of the case, 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).

DISMISSED.