

FILED

FEB 28 2019

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 18-90127

ORDER

Before: **M. SMITH, MURGUIA** and **CHRISTEN**, Circuit Judges,
PHILLIPS, MARTINEZ and **SEABRIGHT**, Chief District Judges,
and **MOSKOWITZ** and **MOLLWAY**, District Judges*

Pursuant to Article V of the Rules for Judicial-Conduct and Judicial-Disability Proceedings under 28 U.S.C. § 352(c), complainant has filed a petition for review of the order of the Chief Judge entered on December 10, 2018, dismissing the complaint against a circuit judge of this circuit.

We have carefully reviewed the record and the authorities cited by the Chief Judge in his order of dismissal. We conclude there is no basis for overturning the order of dismissal.

For the reasons stated by the Chief Judge and based upon the controlling authority cited in support thereof, we affirm.

*Hon. Jay S. Bybee and Hon. N. Randy Smith did not participate in the consideration of this matter.