

FILED

AUG 6 2019

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 19-90060

ORDER

Before: **BYBEE, M. SMITH, N.R. 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 May 2, 2019, dismissing the complaint against a magistrate judge of this circuit.

Allegations raised for the first time on petition for review will not be considered. See Commentary on Judicial-Conduct Rule 19 (“The judicial council should ordinarily review the decision of the chief judge on the merits, treating the petition for review for all practical purposes as an appeal”); United States v. Gila Valley Irrigation District, 859 F.3d 789, 800 (9th Cir. 2017) (“As a general rule, we will not consider arguments that are raised for the first time on appeal”).

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.