**JUDICIAL COUNCIL**

**OF THE NINTH CIRCUIT**

| **IN RE COMPLAINT OF** | No. 19-90158 |
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| **JUDICIAL MISCONDUCT** | **ORDER** |

**THOMAS**, Chief Judge:

Complainant, a pro se litigant, has filed a complaint of judicial misconduct against a magistrate judge. Review of this complaint is governed by the Rules for Judicial Conduct and Judicial-Disability Proceedings ("Judicial-Conduct Rules"), the federal statutes addressing judicial conduct and disability, 28 U.S.C. § 351 et seq., and relevant prior decisions of the Ninth Circuit Judicial Council. In accordance with these authorities, the names of complainant and the subject judge shall not be disclosed in this order. See Judicial-Conduct Rule 11(g)(2).

The Judicial Conduct and Disability Act provides a remedy if a federal judge "has engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts." 28 U.S.C. § 351(a). A chief judge may dismiss a complaint if, following review, he or she finds it is not cognizable under the statute, is directly related to the merits of a decision or procedural ruling, or is frivolous or lacks sufficient evidence to raise an inference of misconduct.

See 28 U.S.C. § 352(b)(1)(A)(I)-(iii). Judicial misconduct proceedings are not a substitute for the normal appellate review process, and may not be used to seek reversal of a judge's decision, to obtain a new trial, or to request reassignment to a different judge.

Complainant alleges that the judge wrongly denied his motions to change venue, for appointment of counsel, and to supplement his complaint. 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).

Complainant also alleges that the judge was biased in favor of the defendants and should have recused himself. "Allegations that a judge erred in failing to recuse are merit-related and must be dismissed." In re Complaint of Judicial Misconduct, 756 F.3d 1143, 1144 (9th Cir. Jud. Council 2014). Adverse rulings are not proof of misconduct or bias, and complainant provides no objectively verifiable evidence to support these vague and conclusory allegations, which are dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 715 F.3d 747, 749 (9th Cir. Jud. Council 2013)

("As we have frequently held, adverse rulings, standing alone, are not proof of misconduct"); Judicial-Conduct Rule 11(c)(1)(D).

Complainant also alleges that the judge allowed the docket to become "corrupted" when the government agencies he sued replaced an exhibit with a fraudulent version. To the extent that complainant argues that the judge denied his motions to seal certain documents, the claim is belied by the record, which shows that one document was replaced by a redacted version and other documents were in fact sealed. To the extent that complainant claims documents were tampered with, complainant provides no objectively verifiable evidence to support these conclusory allegations, which are dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 569 F.3d 1093 (9th Cir. Jud. Council 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.**