

FILED

JUN 9 2025

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

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

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

Nos. 25-90021, 25-90022,
25-90023, 25-90024, 25-90025,
25-90026, 25-90027, 25-90028,
25-90029, 25-90030, 25-90031,
25-90032, 25-90033, 25-90034,
25-90035, 25-90036, 25-90037,
25-90038, 25-90039

ORDER

MURGUIA, Chief Judge:

Complainant, a pro se litigant, has filed a complaint of judicial misconduct against ten district judges and nine circuit judges. 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 the complainant and the subject judges 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.

In 2010, the first named subject judge found complainant to be a vexatious litigant and imposed a prefiling order against him. Since that time, complainant has asserted that the judge was without jurisdiction to impose such an order, which he characterizes as "fraudulent." Complainant now alleges that all 19 subject judges have committed fraud on the court. Although complainant reiterates his concerns regarding the first judge's prefiling order, he does not make specific allegations against the remaining judges. These allegations are dismissed as unfounded and as impermissible challenges to the merits of the judges' decisions. *See* 28 U.S.C. § 352(b)(1)(A)(ii), (iii) (listing reasons the chief judge may decide to dismiss the complaint, including that claims are directly related to the merits of a decision, or that claims are lacking sufficient evidence to raise an inference that misconduct has occurred); Judicial-Conduct Rule 11(c)(1)(B), (D).

Moreover, these allegations are substantially similar to those previously raised by complainant and dismissed. Thus, this complaint is dismissed as being duplicative of Complaint Nos. 23-90003+ and 24-90130. *See In re Complaint of Judicial Misconduct*, No. 10-90023 (9th Cir. Jud. Council 2010) (when complainant previously filed two materially identical complaints against the same judge, the new complaint must be summarily dismissed).

Complainant has now filed numerous misconduct complaints, raising repetitive allegations that have been dismissed as merits-related and unfounded. Complainant is cautioned that if he continues to file “repetitive, harassing, or frivolous complaints,” or to otherwise “abuse[] the complaint procedure,” he will be restricted from filing further complaints. *See In re Complaint of Judicial Misconduct*, 552 F.3d 1146, 1148 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 10(a).

DISMISSED.