

**FILED**

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

JAN 22 2026  
MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

Nos. 25-90091, 25-90092,  
25-90093

**ORDER**

**MURGUIA**, Chief Judge:

Complainant, a pro se litigant, has filed a complaint of judicial misconduct against two district judges and 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 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.

Complainant filed two civil complaints against local law enforcement employees related to their handling of a domestic dispute involving complainant's former cohabitants. These cases were assigned to a district judge ("the first district judge") and referred to a magistrate judge. Complainant was also named by the former cohabitants as a defendant in a related state matter. Complainant removed the state matter to federal court, where it was assigned to a different district judge ("the second district judge") who remanded the matter back to the state court for a lack of federal subject matter jurisdiction.

Complainant alleges that all three judges received information from the various court filings regarding alleged crimes committed by the local law enforcement employees and that the judges committed misconduct by failing to report these alleged crimes. Complainant has failed to demonstrate that any crimes were committed, or that the judges had any reporting obligations. This allegation is dismissed because complainant has not described conduct that is "prejudicial to the

effective and expeditious administration of the business of the courts.” *See* Judicial-Conduct Rule 11(c)(1)(A). The allegation is also dismissed as unfounded because complainant provides no objectively verifiable evidence to support it, beyond her own conclusory statements. *See* 28 U.S.C. § 352(b)(1)(A)(iii) (listing reasons the chief judge may decide to dismiss the complaint, including claims that are lacking sufficient evidence to raise an inference that misconduct has occurred); *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).

Next, complainant alleges that the first district judge committed misconduct by “relying on a magistrate judge.” However, the participation of magistrate judges is governed by 28 U.S.C. § 636 as well as the district court’s own general orders and local rules. Again, complainant fails to describe conduct that is “prejudicial to the effective and expeditious administration of the business of the courts” and this allegation is dismissed as unfounded. *See id.*

Complainant alleges that the magistrate judge committed misconduct by closing her cases without her permission. However, the record reflects that complainant voluntarily dismissed her cases. Accordingly, this allegation is dismissed as belied by the record and unfounded. *See id.*

Finally, complainant alleges that the second district judge “adopted a mocking and insulting tone” and “slandered” her. The second district judge issued only one order, remanding the case back to the state court. The order contains an analysis of the court’s jurisdiction written in a professional and neutral tone and is entirely devoid of slanderous statements. Accordingly, this allegation is dismissed as belied by the record and unfounded. *See id.*

**DISMISSED.**