

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**

No. 25-90094

ORDER

MURGUIA, Chief Judge:

Complainant, a pro se litigant, has filed a complaint of judicial misconduct against a district 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 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 filed a civil complaint against her former employer. She alleges that certain attorneys who worked for the employer made false statements and acted unethically. Her civil complaint has been dismissed for failure to state a cognizable claim.

Complainant alleges that the judge committed misconduct by failing to report the attorneys' actions. Complainant has failed to demonstrate that the attorneys acted unethically, or that the judge had any reporting obligation. 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).

Complainant describes an email she received from the court clerk regarding her attempt to file certain documents electronically and states her belief that the judge did not want her documents to be filed. Although her allegation is not a model of clarity, complainant appears to allege that the judge committed misconduct by intervening in the docketing process. To the extent complainant alleges that the judge prevented her documents from being filed, the allegation is dismissed as unfounded and belied by the record. *See id.* To the extent complainant brings allegations against court clerks or others, such allegations are dismissed. *See* Judicial-Conduct Rule 1 (Judicial-Conduct Rules apply only to “covered” judges).

DISMISSED.