

**FILED**

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

NOV 28 2025  
MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

Nos. 25-90117, 25-90118

**ORDER**

**MURGUIA**, Chief Judge:

Complainant, a pro se litigant, has filed a complaint of judicial misconduct against a district judge 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 name of 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 alleges that the judges “have refused to act on her filings” and have failed to execute their judicial duties. She claims the judges have deliberately delayed proceedings and engaged in “intentional nonfeasance and misconduct.” Complainant asserts that her case “has remained dormant” for over 850 days.

A review of the docket does not support these allegations. Complainant has filed numerous motions which the judges have ruled upon and addressed in a timely manner. For example, after complainant initiated her action in January 2023, complainant filed a motion for a temporary restraining order, which the district judge denied in March 2023. There was a period of inactivity in the underlying matter, but it was the district judge who issued an order to show cause regarding complainant's failure to prosecute. Accordingly, this allegation is dismissed as belied by the record and unfounded. *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); Judicial-Conduct Rule 11(c)(1)(D).

Complainant then alleges that district judge improperly delegated jurisdiction and authority to the magistrate judge to issue dispositive rulings. This specific argument was raised by complainant in a motion. The district judge denied complainant's motion in a detailed order. Thus, this allegation is dismissed because it relates directly to the merits of the district judge's decision. *See* 28 U.S.C. § 352(b)(1)(A)(ii) (listing reasons the chief judge may decide to dismiss the complaint, including that claims are directly related to the merits of a decision); *In re Complaint of Judicial Misconduct*, 838 F.3d 1030 (9th Cir. Jud. Council 2016) (dismissing as merits-related allegations that a judge made various improper rulings in a case); Judicial-Conduct Rule 11(c)(1)(B).

Furthermore, a review of the record supports the district judge's determination that the magistrate judge acted within the authority granted pursuant to 28 U.S.C. § 636. Accordingly, this allegation is also dismissed as belied by the record and unfounded. *See* 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Finally, complainant claims that the judges' actions demonstrate that there is a "coordinated campaign" against her among the federal judiciary, which has

resulted in the denial of her constitutional rights. However, adverse rulings are not proof of misconduct, and complainant provides no objectively verifiable evidence to support these allegations, beyond disagreeing with the judges' decisions and rulings. Therefore, these allegations 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.**