

JAN 23 2026

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT****IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**Nos. 25-90165, 25-90166,
25-90167**ORDER****MURGUIA**, Chief Judge:

Complainant, a pro se litigant, has filed a complaint of judicial misconduct against three 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 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 circuit judges committed misconduct by issuing the mandate before addressing several filings he submitted to the Court of Appeals. The filings included a request for the circuit judges to recuse themselves. A review of the record indicates that the circuit judges dismissed complainant's two appeals as frivolous, and that the circuit judges ordered that no further filings would be considered. Complainant submitted the filings in question after the judges issued these orders. Complainant's arguments all challenge the merits of the judges' decisions and are dismissed as merits related. *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).

Complainant has now filed numerous misconduct complaints against a number of different judges in this circuit, raising similar allegations that have been

dismissed as merits-related and unfounded. *See In re Complaint of Judicial Misconduct*, Nos. 25-90143, 25-90144, 25-90145, 25-90146, 25-90147, 25-90148, 25-90152, 25-90164, 25-90165, 25-90166, and 25-90167. 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.