

FILED

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

NOV 24 2025
MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

Nos. 25-90168, 25-90172,
25-90173, 25-90174, 25-90175,
25-90176, 25-90177, 25-90178,
25-90179, 25-90180, 25-90181,
25-90182, 25-90183, and
25-90184

ORDER

MURGUIA, Chief Judge:

Complainant has filed five complaints under the Judicial Conduct and Disability Act, 28 U.S.C. §§ 351-364, in which she names eight circuit judges and six district judges. One of these complaints (No. 25-90168) is against the chief circuit judge. In an order filed on October 29, 2025, the Judicial Council of the Ninth Circuit determined the chief circuit judge may resolve all of these complaints, including the one in which she is a subject judge, and that no exceptional circumstances exist to warrant transfer to another circuit. *See* Rule 25(b), (f) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

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.

Prior Complaints of Judicial Misconduct

As background, complainant is an attorney and was the subject of an anonymous grievance filed with the state bar in 2015. In 2017, complainant unsuccessfully sued another attorney in federal court regarding that attorney’s alleged participation in the state bar’s investigation of the grievance. Complainant previously filed a complaint of judicial misconduct (Complaint No. 22-90052)

against the district judge who presided over that matter (“original trial judge”), arguing that the original trial judge was the “lynchpin” in a conspiracy involving the state bar and others. The complaint was dismissed because it improperly challenged the merits of the district judge’s rulings and because the allegations were unfounded.

Following the dismissal of her case in the district court, complainant filed an appeal in 2018. The appellate panel affirmed in part and reversed and remanded in part. Complainant previously filed a complaint of judicial misconduct (Complaint No. 23-90035) against one of the circuit judges who handled her appeal.

Complainant argued that the circuit judge should not have heard her appeal due to a conflict of interest based on the circuit judge’s affiliation with the state bar, and that the circuit judge affirmed the original trial judge’s decision “in furtherance of” a “criminal enterprise.” That misconduct complaint was dismissed because it improperly challenged the merits of the circuit judge’s rulings and because the allegation that the circuit judge participated in a conspiracy was unfounded.

The current set of complaints largely revisit various aspects of this procedural history.

Complaint No. 25-90168

In Complaint No. 25-90168, complainant alleges that the chief circuit judge

committed misconduct by failing to appoint a special committee to investigate the allegations she made against the original trial judge in Complaint No. 22-90052. Rule 11(b) requires a special committee be appointed to resolve any “reasonably disputed issue.”

The correctness of any decision relating to judicial misconduct proceedings, including whether an issue is reasonably disputed, is not subject to challenge by filing another complaint. *See* Judicial-Conduct Rules 4(b)(1) (“Cognizable misconduct does not include an allegation that calls into question the correctness of a judge’s ruling”); 11(c)(1)(B); Commentary on Rule 4 (“a complaint challenging the correctness of a chief judge’s determination to dismiss a prior misconduct complaint would be properly dismissed as merits-related.”). Accordingly, this allegation is dismissed.

Complainant further alleges that the chief circuit judge’s determination that appointment of a special committee was unwarranted suggests “active[] participat[ion] in a coordinated cover-up by suppressing the discovery of dispositive evidence” and “shielding” the original trial judge from accountability. Despite submitting voluminous documents, complainant has not provided objectively verifiable evidence to support this allegation, so it is dismissed as 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); *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”); Rule 11(c)(1)(D).

Complaint Nos. 25-90172 through 25-90181

After the chief circuit judge dismissed the allegations against the original trial judge in Complaint No. 22-90052, complainant filed a petition for review by the Judicial Council. The Judicial Council unanimously affirmed the chief circuit judge’s dismissal.

Complainant has now filed complaints of judicial misconduct against the five circuit judges and five district judges who then comprised the voting members of the Judicial Council. She alleges that these judges “obstructed a federally mandated investigation,” failed to sufficiently state their findings and reasoning, and did so for the purpose of “shielding” the original trial judge. Again, the correctness of any decision relating to judicial misconduct proceedings is not subject to challenge by filing another complaint. *See* Rules 4(b)(1); 11(c)(1)(B). Moreover, the Judicial Council is not required to provide a supporting memorandum of its decision unless it “concludes that there is a need to supplement

the chief judge's explanation," and there is no right to seek review of the Judicial Council's decision if "no member of the council dissented." *See* Rule 19(d), (e). In this case, the Judicial Council did not have a need to supplement the chief judge's explanation, and no member of the council dissented from its decision.

Accordingly, this allegation is dismissed.

To the extent complainant reiterates her belief that these judges are part of a conspiracy to protect the original trial judge, the allegation is similarly dismissed as unfounded. *See* Rule 11(c)(1)(D).

Complaint No. 25-90182

In the underlying civil litigation, complainant sought the original trial judge's recusal based on his participation in an alleged conspiracy with the state bar and others. After the recusal motion was denied, it was referred to another district judge for review pursuant to a local rule. This district judge affirmed the denial because complainant's "fantastical allegations of a criminal conspiracy" lacked evidentiary support.

Complaint No. 25-90182 alleges that the district judge who affirmed the denial of the recusal motion failed to comply with federal statutes governing recusals and did so for the purpose of "shielding" the original trial judge. This allegation is dismissed because "[c]ognizable misconduct does not include an

allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.” *See* Rule 4(b)(1); 11(c)(1)(B). Further, the allegation regarding a conspiracy to protect the original trial judge is dismissed as unfounded. *See* Rule 11(c)(1)(D).

Complaint No. 25-90183

Complaint No. 25-90183 names the same circuit judge and raises the same allegations as prior Complaint No. 23-90035. As she did previously, complainant alleges that the circuit judge’s affiliation with the state bar created a conflict of interest warranting recusal from the appellate panel and suggests the circuit judge’s participation in a conspiracy to “shield” the original trial judge. Complainant also alleges, as she did before, that the circuit judge “failed to intervene” on her behalf during oral arguments and that the appellate panel’s unpublished memorandum disposition did not sufficiently address her claims. These allegations are dismissed for the same reasons provided in Complaint No. 23-90035. *See* 28 U.S.C.

§ 352(b)(1)(A)(ii), (iii); Rule 11(c)(1)(B), (D); *see also In re Complaint of Judicial Misconduct*, 900 F.3d 1163 (9th Cir. Jud. Council 2018) (dismissing as unfounded allegations that subject judges engaged in conspiracy and other criminal acts because complainant failed to provide objectively verifiable evidence in support of these allegations); *In re Complaint of Judicial Misconduct*, 816 F.3d 1266 (9th Cir.

Jud. Council 2016) (explaining that prior professional association, including service on a board, did not give rise to the appearance of impropriety, or require recusal); *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).

Complaint No. 25-90184

Complaint No. 25-90184 is the only complaint in this set that does not concern complainant's underlying litigation. This complaint is made against a circuit judge who, acting as chief circuit judge pursuant to Rule 25(f), dismissed an unrelated complaint of judicial misconduct. Complainant was not involved in that matter, but her complaint includes a copy of a news article referencing the matter.

Complainant alleges that the circuit judge committed misconduct by failing to appoint a special committee to investigate the matter, for the purpose of protecting other judges within the federal court system from misconduct allegations. A special committee should be appointed when issues are "reasonably disputed." *See* Rule 11(b). Complainant may not challenge the determination that no issue was reasonably disputed, and therefore no special committee was required. Accordingly, this allegation is dismissed because it relates to the merits of the circuit judge's decision. *See* Rule 4(b)(1); 11(c)(1)(B). Further, the

allegation regarding a conspiracy to protect other judges is dismissed as unfounded. *See* Rule 11(c)(1)(D).

Rule 10(a) Warning

While these complaints were pending, complainant attempted to file an additional complaint of judicial misconduct against the same district judge she previously identified in Complaint No. 22-90052 (the original trial judge), and the same district judge she identified in Complaint No. 25-90182. These complaints were not accepted for filing because they were duplicative of allegations previously raised, which have been dismissed or were then being investigated. At that time, complainant was warned, and is now reminded, that pursuant to Rule 10(a) “[a] complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints.”

DISMISSED.