

**FILED**

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

MAR 6 2026  
MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

Nos. 25-90202, 25-90203,  
25-90204

**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.

Although the complaint is confusing, complainant seems to allege that the three circuit judges improperly ordered a stay in her appeal pending resolution of a timely tolling motion. Complainant alleges the three circuit judges, by issuing this order, have demonstrated a number of improper motivations, including, but not limited to, bias and discriminatory intent. Complainant also believes that the circuit judges are part of a conspiracy against her.

A review of the record reveals that the tolling motion that prompted the stay was a motion for a new trial filed by the complainant in district court.

Furthermore, the stay order was issued by the Court of Appeals Clerk's Office, and not the three named circuit judges. Therefore, all of complainant's allegations are dismissed as unfounded and belied by the record. *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).

The Judicial-Conduct Rules apply only to “covered” judges. *See* Judicial-Conduct Rule 1. Therefore, to the extent complainant wishes to raise allegations against the Clerk’s Office, any such allegations are dismissed.

**DISMISSED.**