

FILED

MAY 09 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 08-89017

MEMORANDUM AND ORDER

KOZINSKI, Chief Judge:

A complaint of misconduct has been filed against a former district judge of this circuit. Former judges are not subject to the disciplinary procedures of 28 U.S.C. §§ 351–364, so the complaint is moot. See *In re Charge of Judicial Misconduct*, 91 F.3d 90 (9th Cir. Jud. Council 1996).

DISMISSED.