

**FILED**

JAN 06 2009

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

No. 08-90024

**ORDER**

**KOZINSKI**, Chief Judge:

A misconduct complaint has been filed against a magistrate judge. Complainant, a pro se prisoner, previously filed a misconduct complaint against the subject judge; that complaint was dismissed by the chief circuit judge. The current complaint merely repeats the allegations raised in the prior complaint. The chief judge's prior order renders this complaint moot.

**DISMISSED.**