

JUN 16 2008

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

**JUDICIAL COUNCIL  
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF  
JUDICIAL MISCONDUCT**

No. 08-90035

**ORDER**

Before: **THOMPSON, THOMAS, GRABER, MCKEOWN** and **BERZON**,  
Circuit Judges, and **GONZALEZ, HATTER, LASNIK, MOLLOY** and  
**STOTLER**, District Judges.

Pursuant to 28 U.S.C. § 351(b) and Rule 5 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, in the interest of the effective and expeditious administration of the business of the courts and on the basis of information available, Chief Judge Alex Kozinski's request to initiate proceedings dated June 12, 2008, is construed to be an identification of a complaint of judicial misconduct against Chief Judge Kozinski. This identified complaint is based on allegations in a June 11, 2008, *Los Angeles Times* article entitled "9th Circuit's Chief Judge Posted Sexually Explicit Matter On His Website."

Exceptional circumstances appearing, and pursuant to Rule 26 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, the Ninth Circuit Judicial Council requests that the Chief Justice transfer this identified complaint to the judicial council of another circuit for review and disposition.

Any pending complaints, or new complaints that may be filed, relating to this matter are included in this request for transfer.