

FILED

MAY 01 2008

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

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 07-89149

MEMORANDUM AND ORDER

KOZINSKI, Chief Judge:

A complaint of misconduct has been filed against a district judge of this circuit. Complainant, an attorney, alleges that acts described in a newspaper article constitute misconduct by the judge. The article alleges that the judge had personal connections with individuals involved in cases over which the judge presided. Complainant does not allege any personal connection to or knowledge of the allegations in the article.

The allegations in the article were the subject of a separate complaint of judicial misconduct and a special committee investigation pursuant to the Rules of the Judicial Council of the Ninth Circuit Governing Complaints of Judicial Misconduct or Disability. At the conclusion of the investigation, the Judicial Council issued a memorandum and order dismissing the complaint and finding that no misconduct had occurred. The Judicial Council order was filed prior to the

filing of this complaint. Because the previous investigation and Judicial Council order makes “action on the complaint . . . no longer necessary,” this complaint is concluded. 28 U.S.C. § 352(b)(2).

CONCLUDED.