

United States Court of Appeals for the Federal Circuit

IN RE COMPLAINT NOS. FC-17-90003, FC-17-90004,
AND FC-17-90005

Before NEWMAN, *Circuit Judge*.

ORDER AND SUPPORTING MEMORANDUM

The complainant has filed judicial misconduct complaints concerning three judges of this court.

The Merit Systems Protection Board dismissed the complainant's appeal for lack of jurisdiction. The complainant then sought this court's review. A panel of three judges of this court affirmed the Board's decision. The complaints now before this court are against the three judges who served on that panel.

The complainant alleges, *inter alia*, that the judges "contravene[d] [his] equal protection rights" and "due process rights," were biased in favor of the Board, and "abused [their] authority." But the complainant does not allege any conduct other than the judges' rulings in his case.

A complaint must be dismissed if directed to the merits of a decision or procedural ruling. *See* Rule 11(c)(1)(B) of the Rules for Judicial Conduct and Judicial Disability Proceedings. The complaints are directed to the merits of the court's rulings and thus must be dismissed.

Accordingly,

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

DEC 22 2016

PETER R. MARKSTEINER
CLERK

IT IS ORDERED THAT:

The complaint is dismissed.

December 22, 2016
Date

/s/ Pauline Newman
Pauline Newman
Circuit Judge

There is a right to file a petition for review of this order. Pursuant to Rule 18(b) of the Rules for Judicial Conduct and Judicial Disability Proceedings, any petition for review must be received by the circuit executive within 42 days of the date of the letter transmitting this order. Any petition must be sent to:

Circuit Executive

United States Court of Appeals for the Federal Circuit
717 Madison Place, NW
Washington, DC 20439