

# United States Court of Appeals for the Federal Circuit

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IN RE COMPLAINT NOS. FC-20-90007, FC-20-90008,  
AND FC-20-90009

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Before PROST, *Chief Judge*.

## ORDER AND SUPPORTING MEMORANDUM

The complainant has filed judicial misconduct complaints concerning three judges of the United States Court of Appeals for the Ninth Circuit. To the extent the complainant also asserts wrongdoing by other individuals not covered by the Rules for Judicial-Conduct and Judicial-Disability Proceedings, we do not accept the complaint against those individuals. See Rule 8(d) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings (providing that the court may only accept a complaint against a person covered by the rules).

A complaint concerning a judge of the Ninth Circuit must ordinarily be filed with the Ninth Circuit. See Rule 7(a)(1) (stating that “a complaint against a judge of a United States court of appeals . . . must be filed with the circuit clerk in the jurisdiction in which the subject judge holds office”). While there is an exception where the alleged misconduct occurred while the subject judge was sitting by designation, see Rule 7(b), that was not alleged in any of these complaints. Because the complaints were filed in the wrong circuit, dismissal is required pursuant to Rule 11(c)(1)(F).

Accordingly,

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

FEB 12 2020

PETER R. MARKSTEINER  
CLERK

**IT IS ORDERED THAT:**

**The complaints are dismissed.**

February 12, 2020

Date

/s/ Sharon Prost

Sharon Prost

Chief 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 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**