United States Court of Appeals for the Federal Circuit

IN RE COMPLAINT NOS. FC-20-90011 AND FC-20-90012

Before PROST, *Chief Judge.*

ORDER AND SUPPORTING MEMORANDUM

The complainant has filed judicial misconduct complaints concerning a district court judge and a magistrate judge of the United States District Court for the Southern District of California.

Pursuant to Rule 7(a)(1) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, a complaint against a district court judge or a magistrate judge "must be filed with the circuit clerk in the jurisdiction in which the subject judge holds office." However, if the complaint alleges misconduct in the course of official business while the subject judge was sitting on a court by designation, then the complaint may be filed either with the circuit clerk in the jurisdiction in which the subject judge sat by designation or with the circuit clerk in the jurisdiction in which the subject judge holds office. *See* Rule 7(b).

The complainant does not assert that the subject judges sat by designation with the United States Court of Appeals for the Federal Circuit. Because the complaints concern judges holding office in the jurisdiction of the United States Court of Appeals for the Ninth Circuit, the complaints were filed in the wrong circuit, and dismissal of the complaints filed with this court is required pursu-

ant to Rule 11(c)(1)(F).

Accordingly,

IT IS ORDERED THAT:

The complaints are dismissed.

February 24, 2020   /s/ Sharon Prost
        Date   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