

of the cases and dismissed the appeal for the reasons stated by the district court in the third case.

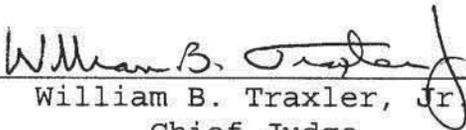
Complainant filed this judicial complaint asking that the magistrate judge recuse himself in a yet-to-be filed fourth civil case in the district court. He claims that he cannot receive a fair trial from this magistrate judge because of his prejudice and bias, as reflected in his prior recommendations to dismiss complainant's cases.

The Judicial Conduct and Disability Act permits review of judicial conduct, not judicial decisions. Claims that are "[d]irectly related to the merits of a decision or procedural ruling" are barred from review under the Act. 28 U.S.C. § 352(b)(1)(A)(ii). "An allegation that calls into question the correctness of a judge's ruling, including a failure to recuse, without more, is merits-related." Rule 3(h)(3)(A), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Complainant offers no factual support for his claims that the magistrate judge's recommendations were the result of bias and prejudice and that the magistrate judge should have recused himself. The district court records demonstrate that the magistrate judge's recommendations, which were adopted by the district judge and upheld by the court of appeals, resulted from an unbiased application of the law to the facts.

Accordingly, this judicial complaint is dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) as directly related to the merits of the judge's rulings.

IT IS SO ORDERED.



William B. Traxler, Jr.
Chief Judge