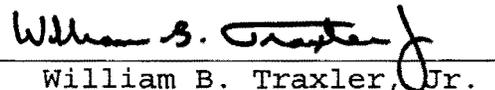


of a decision or procedural ruling." 28 U.S.C. § 352(b)(1)(A)(ii). Allegations of delay in a single case are considered merits-related because they challenge the priority assigned by the judge to deciding a particular case. See Commentary on Rule 3, Rules for Judicial-Conduct and Judicial-Disability Proceedings, at 9. A cognizable claim of delay-based misconduct requires a showing of "improper motive in delaying a particular decision or habitual delay in a significant number of unrelated cases." Rule 3(h)(3)(B), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Complainant has not alleged either improper motive or habitual delay on the part of the magistrate judge. Thus, his complaint regarding the amount of time taken to complete initial screening of his case fails to state a claim of misconduct.

This judicial complaint is, accordingly, dismissed as merits-related pursuant to 28 U.S.C. § 352(b)(1)(A)(ii).

IT IS SO ORDERED.



William B. Traxler, Jr.
Chief Judge