



correct. The Court was not required to respond to Plaintiff's Motion to Vacate, as it was incorrectly filed with the Third Circuit, and ultimately referred back to this Court for resolution.

Plaintiff's allegations amount to no more than a claim that the Court has failed to rule in his favor. It is well settled that prior adverse rulings by a judge do not constitute ground for his disqualification, even if the ruling was erroneous. See Sacramento Suburban Fruit Lands Co. v. Tatham (1930, CA9 Cal) 40 F.2d 894, cert den (1930) 282 US 874, 75 L Ed 772, 51 S Ct 79; United States v. Shibley (1953, D.C. Cal) 112 F Supp 734; Kelly v. New York, N. H. & H. R. Co. (1956, D.C. Mass) 139 F. Supp 319; In re Federal Facilities Realty Trust (1956, D.C. Ill) 140 F. Supp 522. Plaintiff must allege facts that, if true, would establish a *personal* bias or prejudice against one party and in favor of another. I find that Plaintiff has failed to do so in this case, and as such, find that the Affidavit of Bias or Prejudice is legally insufficient to invoke the requirements of Section 144. An appropriate order follows.

