

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

May 18, 2012

FRANK H. EASTERBROOK
Chief Judge

Nos. 07-12-90028 and -90029

IN RE COMPLAINT AGAINST TWO JUDICIAL OFFICERS

MEMORANDUM

Complainant filed civil suits that were assigned to two district judges. One of these suits was resolved in 1999. Since then complainant has filed five motions to reopen the litigation under Fed. R. Civ. P. 60(b); all have been denied. The other suit, filed in 2006, was remanded earlier this month to an administrative agency. Complainant accuses both judges of misconduct.

Any complaint that is “directly related to the merits of a decision or procedural ruling” must be dismissed. 28 U.S.C. §352(b)(1)(A)(ii). See also Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. “Any allegation that calls into question the correctness of an official action of a judge ... is merits related.” Standard 2 for Assessing Compliance with the Act, *Implementation of the Judicial Conduct and Disability Act of 1980: A Report to the Chief Justice* 145 (2006). The allegations of this complaint are difficult to understand, but to the extent that complainant believes that the judges erred, §352(b)(1)(A)(ii) applies. A contention that the second judge took too much time to resolve his suit likewise is covered by that statute; a judge’s decision about which pending matters deserve top priority is a “procedural ruling”. See *Report* at 146. (Complainant does not contend that the judge in question generally fails to resolve suits in a timely manner; the complaint concerns delay in his case only.)

Other statements in the complaint are incomprehensible. Paragraph 3 reads: “KIDNAPPED, SNOOT, OBSTRUATED, TOURTURED, THRIFT OF JUSTICE, FUND’S, DISCRMANATED, UZU7ED CIVIL RIGHT’S ACT’S AS AMENDED, DENIED

ACCESS TO THE COURT FULL, OPREST(P), FAILD TO JUDICZAT, DURDRLY'S
PROTRUTED ZT'S APPOTNXI FROM JUSTICE! COVER UP" I cannot make head nor
tail of this. Presumably complainant is not alleging that either of the district judges
kidnapped and tortured him. This aspect of the complaint is dismissed as outside the
scope of the 1980 Act.