

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

April 27, 2009

FRANK H. EASTERBROOK
Chief Judge

No. 07-09-90057

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant maintains that a federal judge is mentally disabled because he does not display "awareness, capacity, and realization of events".

The complaint does not, however, include particulars. It is dismissed under 28 U.S.C. §352(b)(1)(A)(iii), which requires the chief judge to dismiss any complaint that is "lacking sufficient evidence to raise an inference that misconduct has occurred".

Complainant says that the grievance concerns the judge's behavior during a particular lawsuit in which complainant was the plaintiff. A review of the docket sheet shows that complainant (who was then a prisoner) did not come to court and did not have an opportunity to observe the judge in any other way. Complainant voluntarily dismissed the suit 15 days after it was filed after learning that he needed to pay a partial filing fee under 28 U.S.C. §1915(b), and that the remainder of the fee would be collected over time from his prison trust account. Such a sequence of events does not present any reason to inquire into the judge's competence.