

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

March 29, 2010

FRANK H. EASTERBROOK  
Chief Judge

No. 07-10-90018

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant was the plaintiff in civil litigation. The district judge denied her motion for leave to proceed *in forma pauperis* (that is, without prepaying the required fees). Complainant asserts that the judge should have granted this motion or at least given her a better explanation about how to complete the forms necessary to apply for this status.

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 fit that description. The subject judge made a ruling on a procedural issue. The way to obtain review was to file an appeal—a step that is no longer possible, because the district court dismissed the suit more than two years ago. The Judicial Council is an administrative body, not a forum for an untimely appeal.