

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

March 26, 2012

FRANK H. EASTERBROOK
Chief Judge

No. 07-12-90015

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant, a federal prisoner, believes that the district judge mishandled his trial, sentencing, and collateral attack under 28 U.S.C. §2255.

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 remedy for judicial error is an appeal, not a complaint under the 1980 Act. Complainant has filed four appeals. Three were resolved years ago and the fourth, from the denial of post-sentencing relief under 18 U.S.C. §3582(c)(2), is under advisement in the court of appeals.