

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

August 28, 2014

Chief Judge Diane P. Wood

Nos. 07-14-90075, -90076 and -90077

IN RE COMPLAINTS AGAINST TWO JUDICIAL OFFICERS

MEMORANDUM

Complainant filed complaints against two judges. I dismissed both complaints because the complaints alleged that the rulings were erroneous and were due to improper motives. There was no evidence of any improper motives. Complainant filed a petition to review one of the complaints against the same two judges which is now pending before the Seventh Circuit Judicial Council and I anticipate that complainant will be soon filing a petition to review the other complaint. I did consider some of his subsequent allegations when I dismissed the earlier complaints. I am now making clear that all of his complaints are dismissed for the same reasons: an erroneous decision is not a proper basis for a judicial misconduct complaint and an allegation of improper motive for the ruling without any evidence cannot be the basis for a judicial misconduct complaint.

Within one month, complainant filed five complaints against two judges who have adversely ruled against him in the underlying litigation. The three other complaints are dismissed pursuant to 28 U.S.C. §352(b)(1)(A)(ii).

Rule 10 of Rules for Judicial-Conduct and Judicial-Disability Proceedings provides: "A complainant who has filed repetitive, harassing, or frivolous complaints, or has otherwise abused the complaint procedure, may be restricted from filing further complaints." Five complaints against two judges arising from one underlying case which set forth no misconduct by the judges is an abuse of the process. Complainant has 21 days from the date of this order to show cause why the Seventh Circuit Judicial Council should not consider restricting complainant's filings.