

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT

219 South Dearborn Street
Chicago, Illinois 60604

April 6, 2015

Chief Judge Diane P. Wood

No. 07-15-90018

IN RE COMPLAINT AGAINST A CHIEF DISTRICT JUDGE

MEMORANDUM

Complainant, a federal prisoner, filed a complaint against a judicial officer, asserting that the judge presided over his civil case against the PACT Bradley House, its director, Regina Ruddell, and other defendants, at the same time as the judge allegedly sat on the board of that institution and had a personal friendship with the director. Complainant, a restricted filer for purposes of the Prison Litigation Reform Act, had been attempting to pursue a civil action in the district court. The court issued an order dismissing the case without prejudice until complainant paid in full the filing fee (and in addition requiring plaintiff to pay in full all outstanding fees in all civil actions in any federal court). When complainant attempted to appeal from this order, the court denied his request for a certificate of appealability and later denied his motion to proceed in forma pauperis on appeal. That was where matters stood when complainant filed his Complaint of Judicial Misconduct or Disability, essentially claiming that the judge had a conflict of interest.

This allegation lies outside the scope of 28 U.S.C. §352(b)(1)(A)(ii), which requires the dismissal of any complaint “directly related to the merits of a decision or procedural ruling.” I asked the subject judge to respond to the complaint. He replied that he is not on the Board of Directors of PACT or Bradley House. He has briefly met Ms. Ruddell on only one occasion, when he toured Bradley Center (which often serves as the halfway house placement for defendants from the judge’s district). A quick look at the website of PACT-Bradley Center confirms that the judge is indeed not one of the Directors. See <http://www.pactchangeslives.com/board-of-directors> (last visited April 6, 2015). I conclude that there is no possible factual dispute that needs to be resolved here, and that the allegations lack any factual foundation and are conclusively refuted by objective evidence. I therefore dismiss the complaint under §352(b)(1)(A)(iii).