

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

October 1, 2021

Chief Judge Diane S. Sykes

No. 07-21-90072

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who presided over a civil case he filed in 2014. He alleges “bias and prejudice” because the judge determined that he was a restricted filer and required him to pay a filing fee. The complaint is “directly related to the merits of a decision or procedural ruling” and must be dismissed. 28 U.S.C. § 352(b)(1)(A)(ii); RULES FOR JUD.-MISCONDUCT & JUD.-DISABILITY PROC. 4(b).

The complainant filed four earlier judicial-misconduct complaints against three judges, all of which were summarily dismissed as frivolous, merits related, and/or not within the scope of the Judicial Conduct and Disability Act. 28 U.S.C. § 352(b)(1)(A); *see* Nos. 7-12-90039, 7-13-90097, 7-14-90006 & 07-14-90007. Repetitive filing of noncognizable misconduct complaints is an abuse of the Act. Rule 10(a) of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings* empowers the Judicial Council of the Seventh Circuit to prohibit, restrict, or impose conditions on an abusive complainant’s use of the complaint procedure. In 2014 the complainant was warned that if he filed a similar complaint in the future, the Judicial Council may invoke its authority to curtail his misuse of the Act. *See* Nos. 7-14-90006, -90007. This most recent complaint demonstrates that the complainant did not heed that warning.

This order is a final warning: If the complainant abuses the provisions of the Act by filing another misconduct complaint that is summarily dismissed as frivolous, merits related, and/or not within the scope of the Act, I will ask the Judicial Council to require him to post a \$1,000 bond before any future complaints are reviewed. *See* RULES FOR JUD.-MISCONDUCT & JUD.-DISABILITY PROC. 10(a).

For the foregoing reasons, the complaint is dismissed pursuant to § 352(b)(1)(A)(ii). The complainant may petition the Judicial Council of the Seventh Circuit for review of this order in accordance with Rule 18(b) of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*. 28 U.S.C. § 352(c); *see* RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. 11(g)(3). A petition for review must be filed in the clerk's office of the United States Court of Appeals for the Seventh Circuit not later than 42 days of the date of this order.