

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

March 6, 2023

Chief Judge Diane S. Sykes

No. 07-22-90116

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who issued various rulings in his four civil cases. He alleges that the judge did not consider relevant evidence, erroneously ordered the clerk to not issue a summons, exhibited bias and discrimination, and treated complainant in an egregious and hostile manner in language included in a written order.

Complainant's challenges to the rulings in his cases are not cognizable misconduct. Allegations directly related to the merits of the judge's decisions are not proper grounds for a misconduct complaint. 28 U.S.C. § 352(b)(1)(A)(ii). "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt. The allegations regarding the issuance of the summons and the evidence the judge considered are merits related and must therefore be dismissed.

The complainant's allegations of bias, discrimination, and hostile treatment are insufficient to raise an inference of misconduct. He fails to provide any particulars in support of these claims other than the judge's rulings and his basis for disagreeing with them. And the complainant's contention that the judge treated him in an egregious and hostile manner is contradicted by the language contained in the order. These allegations are therefore wholly unsupported and must be dismissed; adverse rulings alone do not suggest bias or lack of impartiality. 28 U.S.C. § 352(b)(1)(A)(iii); RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 11(c)(1)(D).

For the foregoing reasons, the complaint is dismissed pursuant to § 352(b)(1)(A)(ii) and (iii). 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. r. 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.