

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

July 11, 2023

Chief Judge Diane S. Sykes

No. 07-23-90014

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who dismissed two of his cases and currently presides in another. The complainant challenges several of the judge's rulings and alleges that the judge "erroneously, unethically and illegally" denied his motions and dismissed the two earlier cases. He also alleges that the judge conspired with federal, state, and local agencies and officials to deny his "constitutional rights."

Allegations challenging a judge's substantive and procedural rulings are not proper grounds for a misconduct complaint. Allegations directly related to the merits of a judge's decisions do not raise an inference of cognizable misconduct and must be dismissed. 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 complainant's claim that the judge was involved in a conspiracy to deprive him of his constitutional rights is wholly unsupported and frivolous. 28 U.S.C. § 352(b)(1)(A)(iii). A misconduct complaint must be supported by sufficient facts to raise an inference that misconduct occurred. The complainant contests the judge's various rulings against him, but adverse rulings are not evidence of misconduct.

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*. *Id.* § 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.