

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

September 1, 2023

Chief Judge Diane S. Sykes

No. 07-23-90031

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who presided in her criminal case. She claims that she was deprived of her constitutional rights during the proceedings; she also challenges several of the judge's decisions in her case, including the length of her sentence. The complainant also alleges without elaboration or support that the judge "has a working relationship with possible non for profit [sic] organization members" with whom she previously worked and is therefore biased against "Indian women" like her. Finally, the complainant alleges that her attorneys did not provide proper representation and that the government failed to disclose favorable evidence and "used perjured information."

Allegations challenging the merits of a judge's procedural or substantive rulings 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 complainant's allegation that the judge is biased is wholly unsupported and frivolous. A misconduct complaint must be supported by sufficient facts to raise an inference that misconduct occurred. 28 U.S.C. § 352(b)(1)(A)(iii). Adverse rulings alone are not evidence of bias. Finally, the complainant's allegations regarding the actions of her attorneys and the government are not within the purview of the Judicial Conduct and Disability Act. *Id.* § 352(b)(1)(A)(i).

For the foregoing reasons, the complaint is dismissed pursuant to § 352(b)(1)(A)(i), (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.