

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

March 20, 2024

Chief Judge Diane S. Sykes

No. 07-24-90006

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who denied his petition for habeas relief and several motions he filed after his case was closed. He challenges the judge's decisions in his case, alleging that the judge "failed to comply with well-established law," mischaracterized his claims, and relied upon "newly fabricated evidence." He also claims that the judge was biased in favor of the government because the judge is a former prosecutor. Finally, he accuses the judge of collusion based on his suspicion that several orders issued by the judge were "in actuality written" by the former prosecutor in his underlying criminal case.

These allegations primarily challenge the judge's rulings in the complainant's case and thus 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 allegations of bias and collusion are frivolous. Allegations of misconduct must be supported by sufficient facts to raise an inference that misconduct occurred; adverse rulings alone are not evidence of any type of misconduct. 28 U.S.C. § 352(b)(1)(A)(iii).

Accordingly, 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.