

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

April 5, 2024

Chief Judge Diane S. Sykes

No. 07-24-90015

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who presided in his criminal case. He challenges the judge's decisions in his case, alleging that she was knowingly "untruthful" when she stated that he had waived his right to counsel and had standby representation. He also claims, without support, that the judge had "extreme" bias against him.

The allegations concerning the judge's statements about the complainant's waiver of counsel and standby representation are directly related to the merits of the judge's rulings 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 allegation of bias is wholly unsupported and 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.