

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

June 21, 2024

Chief Judge Diane S. Sykes

No. 07-24-90045

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who is presiding in his civil-rights case. He contests the judge's denial of his motion for a "Subpoena to Obtain Information," in which he had asked the judge to order administrative staff to provide a list of all persons who have accessed the public court docket in his case. He alleges that the judge misunderstood his request or misinterpreted the law; he requests an investigation of the judge's "conduct and potential disability."

These allegations relate directly to the merits of the judge's decision 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. To the extent that the complaint makes a passing reference to a "potential disability," the allegation is wholly unsupported and frivolous. 28 U.S.C. § 352(b)(1)(A)(iii). A complaint must provide sufficient facts to raise an inference of misconduct or disability; adverse rulings alone are not sufficient.

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.