

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

September 23, 2024

Chief Judge Diane S. Sykes

No. 07-24-90079

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the magistrate judge assigned to his civil-rights case. He claims that the judge is “boycotting” his case by delaying rulings on his various motions and “fraudulently” concealing a document filed in his case that he never received.

These allegations largely relate to the merits of the judge’s decisions 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. Complaints about delay relate to the judge’s decisionmaking and do not raise an inference of misconduct absent a nonfrivolous allegation of improper motive or evidence of habitual delay in a significant number of unrelated cases. RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(2) cmt. The complaint contains no allegations or evidence of improper motive or habitual delay. The allegation that the judge concealed a document is wholly unsupported and frivolous. 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*. 28 U.S.C. § 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.