

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

September 23, 2024

Chief Judge Diane S. Sykes

No. 07-24-90080

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 alleges that the judge imposed an illegal sentence based on the government's breach of the plea agreement. He also claims that the judge never accepted the agreement but erroneously stated that he did.

These allegations challenge the merits of the judges' decisions in the complainant's case and do not raise an inference of misconduct. 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" and not a proper basis for a misconduct complaint. RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt.

Accordingly, the complaint is dismissed pursuant to § 352(b)(1)(A)(ii). 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.