

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

October 18, 2024

Chief Judge Diane S. Sykes

Nos. 07-24-90088 & 07-24-90089

IN RE COMPLAINT AGAINST TWO JUDGES

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the circuit judges who affirmed the dismissal of his civil rights case. (One of the judges retired and left the federal judiciary before the complaint was filed; the complainant's filing was docketed as a complaint against two judges.) The complainant challenges the substance of the judges' decision to affirm the judgment dismissing his case. He also alleges that their ruling against him shows that they have a cognitive disability.

The complainant's allegations relate directly to the merits of the judges' 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. The allegation that the judges are cognitively impaired is 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*. *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.