

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

January 29, 2025

Chief Judge Diane S. Sykes

No. 07-25-90002

IN RE A COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who dismissed his habeas petition. He complains that the judge granted the government several extensions of time to respond to his petition and claims without evidence that the judge improperly “colluded” with the prosecutor.

To the extent that these allegations challenge the judge’s rulings on the government’s motions for extensions of time, they are directly related to the merits of the judge’s decisions and thus are not a proper ground 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” and must be dismissed. RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt. The allegation of collusion with the prosecutor is wholly unsupported and frivolous. 28 U.S.C. § 352(b)(1)(A)(iii). Allegations of misconduct must be supported by sufficient facts to raise an inference that misconduct occurred; the complainant’s bare allegation of collusion is insufficient.

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.