

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

March 27, 2009

FRANK H. EASTERBROOK  
Chief Judge

Nos. 07-09-90049 & -90050

IN RE COMPLAINT AGAINST TWO JUDICIAL OFFICERS

MEMORANDUM

Complainant believes that the district judge and a magistrate judge have mishandled his litigation. Two weeks ago I dismissed a complaint (No. 07-09-90043) containing related allegations. I informed complainant that any complaint that is “directly related to the merits of a decision or procedural ruling” must be dismissed. 28 U.S.C. §352(b)(1)(A)(ii).

The current complaint does not mention either §352(b)(1)(A)(ii) or my recent ruling. It must be dismissed for the same reason.

Complainant must understand that the Judicial Conduct and Disability Act of 1980 does not provide an alternative forum for review of the merits of procedural and substantive rulings. The Judicial Council is an administrative rather than a judicial body. Complainant has a pending appeal; the court of appeals is the appropriate forum for the arguments that complainant makes.

Complainant asserts that both the district judge and the magistrate judge are biased against him. But the adverse rulings are the only evidence of “bias” offered by the complaint. Half of all litigants lose their cases, and almost all litigants lose some motions on the way to decision. That a judge has issued a ruling adverse to a litigant’s position does not demonstrate bias. See *Liteky v. United States*, 510 U.S. 540 (1994).

Any future complaint must make a serious effort to demonstrate how it is compatible with §352(b)(1)(A)(ii). Failure to do this will lead me to dismiss the complaint summarily.