

Judicial Council of the Seventh Circuit.
219 South Dearborn Street
Chicago, Illinois 60604

April 6, 2009

Circuit Judge Richard A. Posner*

Nos. 07-09-90052
07-09-90053
07-09-90054

IN RE COMPLAINT AGAINST THREE JUDGES

MEMORANDUM

Complainant has filed a judicial misconduct complaint against three judges. The basis for the complaint is that the judges erred in their rulings involving complainant's underlying litigation. A judicial misconduct proceeding is not a permissible alternative to an appeal. It is not an error- correction device. See House of Representatives Report No. 96- 1313, 96th Cong., 2nd Sess. (1980) at 10. If the judges erred, the remedy is not through the judicial misconduct complaint process. Section 352(b)(1)(A)(ii) of Title 28 of the United states Code and Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings specifically exclude allegations calling into question the correctness of a judge's ruling. This complaint is based on alleged erroneous rulings. Therefore this complaint is dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) and Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

*This complaint was assigned to Circuit Judge Richard A. Posner pursuant to 28 U.S.C. §351(c).