

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

May 6, 2010

FRANK H. EASTERBROOK
Chief Judge

No. 07-10-90025

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Twenty-five years ago, complainant filed a petition in bankruptcy. That proceeding was closed in 1994. Late in 2009 complainant began to file motions demanding that the case be reopened, that all of the orders be declared void, and that issues be readjudicated. The bankruptcy judge who had handled the case is no longer serving, so a new judge was assigned. This judge denied complainant's motions, and complainant now accuses the judge of misconduct for participating in (or perhaps just failing to detect and thwart) what complainant insists is a fraud on the bankruptcy court.

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). See also Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability proceedings. "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." Standard 2 for Assessing Compliance with the Act, *Implementation of the Judicial Conduct and Disability Act of 1980: A Report to the Chief Justice* 145 (2006). The allegations of this complaint fit that description. If the subject judge erred by denying complainant's motion, the remedy is by appeal rather than a complaint under the 1980 Act.