

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

May 18, 2010

FRANK H. EASTERBROOK
Chief Judge

No. 07-10-90026

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainants contend that a district judge's decision holding an Act of Congress unconstitutional demonstrates that the judge is mentally unfit.

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. The only basis of complainant's charge of mental disability is the subject judge's decision on the merits. That decision will be reviewed through the appellate process; it is not reviewable under the 1980 Act.