

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

June 2, 2010

Circuit Judge Richard A. Posner*

Nos. 07-10-90029 to -90031

IN RE COMPLAINT AGAINST THREE JUDGES

MEMORANDUM

Complainant has filed a complaint against three judges who denied leave to appeal *in forma pauperis* and dismissed complainant's appeal.

A reading of the complaint establishes that the allegations are directly related to the merits of a judicial decision. A judicial misconduct proceeding is not a permissible alternative to an appeal. It is not an error-correction device. See 28 U.S.C. § 351 and 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. Rule 3(h)(3)(A) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings specifically excludes allegations calling into question the correctness of a judge's ruling. 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).