

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT

219 South Dearborn Street
Chicago, Illinois 60604

February 24, 2011

FRANK H. EASTERBROOK
Chief Judge

No. 07-11-90016

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant, the plaintiff in pending litigation, contends that the district judge “made personal derogatory remarks referring to” complainant when complainant was not present. Complainant does not specify what these remarks were.

I asked the district judge for a response, including a transcript of the hearing in question. I have now read that transcript and conclude that the complaint is conclusively refuted by objective evidence. The complaint therefore is dismissed under 28 U.S.C. §352(b)(1)(B), following the limited inquiry I conducted under subsection (a).

The district judge had recruited a lawyer to represent complainant, who expressed dissatisfaction with counsel’s assistance and failed to attend meetings that had been scheduled to discuss the litigation with counsel. The lawyer requested a status hearing so that the possibility of withdrawal could be considered on the record. Complainant failed to attend this status hearing. The proceeding was short (the transcript is only three pages long) and entirely civil. Complainant’s allegations are unfounded.