

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT

219 South Dearborn Street
Chicago, Illinois 60604

July 8, 2011

FRANK H. EASTERBROOK
Chief Judge

No. 07-11-90038

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant contends that a federal district judge wrongly refused to register and enforce a judgment under 28 U.S.C. §1963. The judge concluded that §1963 does not apply to requests for collateral relief from a criminal conviction. Complainant contends that this decision constitutes misconduct.

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 complainant believes that the district judge erred, the remedy is by appeal from a final decision rather than a complaint under the 1980 Act.