

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT

219 South Dearborn Street
Chicago, Illinois 60604

October 5, 2012

FRANK H. EASTERBROOK
Chief Judge

No. 07-12-90076

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainants are in prison following their convictions for federal crimes. Earlier this year they complained that the district judge had committed errors during their trial and must have been bribed. I dismissed that complaint (No. 07-12-90011) under 28 U.S.C. §352(b)(1)(A)(ii), which provides that any complaint that is “directly related to the merits of a decision or procedural ruling” must be dismissed. (The supposed errors were the only “evidence” of bribery that complainants adduced.)

The current complaint, like the first, contends that the judge erred during the conduct of the trial—this time the complaint concerns the judge’s decisions to admit particular evidence. Complainants contend that they received only a “make believe trial.” Like the first, this complaint is covered by §352(b)(1)(A)(ii). The arguments complainants raise now were, or could have been, presented on appeal. The Judicial Conduct and Disability Act of 1980 is not an alternative means to obtain review of a district judge’s conduct of a trial.

The current complaint does not mention §352(b)(1)(A)(ii) or my decision dismissing No. 07-12-90011. Any further complaint that does not make a serious effort to show how it is compatible with §352(b)(1)(A)(ii) will be dismissed summarily, and I will direct complainants to show cause why the Judicial Council should not enter an order that will curtail their apparently frivolous invocations of the 1980 Act.