

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

December 18, 2012

FRANK H. EASTERBROOK
Chief Judge

No. 07-12-90095

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant is the defendant in a federal criminal prosecution. He has been found guilty by a jury and is awaiting sentencing. He has asked the judge to dismiss the case on the ground that the court lacks jurisdiction and contends that the judge has committed misconduct by denying his motions.

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 court of appeals, not the Judicial Council, is the right forum for a contention that a district judge has erred in conducting litigation.