

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

May 23, 2008

FRANK H. EASTERBROOK
Chief Judge

No. 07-08-90043

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant, the plaintiff in a suit that has recently been resolved on appeal, believes that the district judge should not have allowed a public official to represent himself or the other defendants. Complainant sued, among other public officials, the State's Attorney for a county in Illinois, and he contends that 55 ILCS 5/3-9088 prevented the State's Attorney from playing a role as counsel.

This is the third proceeding under the Judicial Conduct and Disability Act of 1980 initiated by the same person within the last few months. I dismissed the other two because complainant did not attempt to show why the actions involve conduct "prejudicial to the effective and expeditious business of the courts". 28 U.S.C. §351(a). Complainant appears to believe that the 1980 Act affords a method of reopening a case that has been decided adversely to him. My prior decisions informed complainant that this is not so, and in particular that any complaint "directly related to the merits of a decision or procedural ruling" must be dismissed. 28 U.S.C. §352(b)(1)(A)(ii). Complainant has not attempted to show that his current allegations are compatible with this statute. Indeed, he has ignored both the statute and my prior decisions.

The 1980 Act does not permit an unsuccessful litigant to conduct a vexatious campaign against a judge who ruled against him. Any future submission from complainant must address the statutory limitations identified in this memorandum, and my prior memorandums, or it will be dismissed summarily. See also Rule 10(b) of the

Rules for Judicial-Conduct and Judicial-Disability Proceedings (allowing the Judicial Council to restrict filings by complainants who disregard the statutory limitations).