

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

July 2, 2008

FRANK H. EASTERBROOK
Chief Judge

No. 07-08-90057

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

This complaint, by a former debtor in bankruptcy, is functionally identical to one made and dismissed last year (No. 07-7-352-26).

Complainant believes that the bankruptcy judge “stole” some of his money by denying his request for a discharge and declining to entertain preference-recovery proceedings against a third party. I informed complainant last year that the Judicial Conduct and Disability Act of 1980 does not authorize collateral review of adverse decisions rendered during litigation. 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). The proper response to an unwelcome ruling is an appeal (the time for which has long passed) rather than a complaint under the 1980 Act.

Complainant does not try to show that his allegations are compatible with §352(b)(1)(A)(ii). His assertion that the judge’s rulings are “CRIMINAL” (emphasis in original) does not add anything substantive or authorize me to disregard the statute.

Any future complaint that does not make a serious effort to address the statutory limitations on the scope of this process will lead me to ask the Judicial Council to treat further filings by this complainant as frivolous and subject to summary dismissal. See Rule 10(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.