

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

May 22, 2009

FRANK H. EASTERBROOK
Chief Judge

No. 07-09-90062

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

My order dismissing this complaint directed complainant to show cause why the Judicial Council should not enter an order curtailing his repeated, frivolous use of the 1980 Act's mechanisms. See Rule 10(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. Complainant had responded that he filed the complaint because this route was suggested by the Illinois Bar Association and the district judge himself.

I will assume that this representation is truthful. I doubt, however, that complainant informed either the Bar Association or the judge that he had already filed multiple complaints under the 1980 Act and that I had warned him to file no more frivolous charges. Still, the possibility that complainant has been misled leads me to discharge the order to show cause.

Complainant must understand that a further defense along the same lines will not be accepted. I note that his response to my order, like the initial complaint, does not mention 28 U.S.C. §352(b)(1)(A)(ii). Any future complaint that does not make a serious effort to show how it can be squared with §352(b)(1)(A)(ii) will be dismissed summarily, and I will refer the matter to the Council for consideration of an order under Rule 10(a).