

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

July 23, 2010

FRANK H. EASTERBROOK
Chief Judge

No. 07-10-90045

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant is a frustrated litigant who believes that a magistrate judge should have recruited counsel to represent her and does not understand her filings. One reason may be that the filings are hard to read (they are handwritten) and do not employ recognized legal theories. The current complaint says that the subject judge has committed misconduct because "he's pals with staff." Judges are entitled to converse with their staffs. Complainant also seems to believe that the Federal Trade Commission should be investigating the federal judiciary, but the FTC has no power to do so.

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. If complainant is dissatisfied with a judge's decision, the appropriate remedy is an appeal if the magistrate judge has entered a final decision by consent under 28 U.S.C. §636(c), or a request for review by the district judge otherwise.

This is the second time that complainant has invoked the 1980 Act within the last ten days. My decision dismissing the first informed complainant about §352(b)(1)(A)(ii), which the current complaint ignores. Perhaps my decision and the current complaint crossed in the mail. 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 may direct complainant to show cause why she should not be subject to measures to curtail abuse of the 1980 Act's processes. Complainant has launched a campaign of litigation. To go by docket numbers, her recent filings account for a substantial fraction of all suits being filed in the district court. That abuse of legal process cannot be transferred to proceedings under the 1980 Act.