

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

October 25, 2011

FRANK H. EASTERBROOK
Chief Judge

No. 07-11-90059

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant is the plaintiff in civil litigation recently resolved by a magistrate judge. An appeal is pending. (Two earlier appeals have been dismissed as premature.) The complaint asserts that the magistrate judge erred in failing to enter a default judgment against one of the defendants, and in granting summary judgment against him. Complainant also contends that the court made it unduly difficult for him to file documents and should not have required him to serve paper copies of the complaint on the defendants. Finally, complainant believes that the judge should have compelled one defendant to provide information in discovery.

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 the magistrate judge erred, the court of appeals will supply a remedy. The Judicial Council is an administrative rather than a judicial body.