

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

March 16, 2012

FRANK H. EASTERBROOK
Chief Judge

No. 07-12-90013

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant has filed several civil suits, all of which have been decided against him. He contends that the district judge must be biased against poor or disabled persons and has committed “treason” or engaged in “corruption.”

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. All of complainants’ grievances concern adverse decisions in his suits.

The statute cannot be sidestepped by accusing the judge of corruption, treason, or bias. Serious charges require serious evidence, and complainant offers none other than the fact that his suits have been decided against him. At least one litigant is disappointed in *every* suit; if complainant had prevailed in any of these suits, his adversaries would have lost—but the fact that the business of the judiciary is deciding contested matters does not give either side evidence that the judge is biased, has lied when explaining his decisions, has been bribed (that’s what corruption means), or has betrayed his country (that’s what treason means). It takes more than a series of adverse decisions to support an inference of bias or other wrongdoing. See *Liteky v. United*

States, 510 U.S. 540 (1994). Complainant believes that the judge erred in evaluating the merits, but the remedy for judicial error is appeal within the judicial hierarchy, not a complaint under the 1980 Act.