

Judicial Council of the Seventh Circuit  
219 South Dearborn Street  
Chicago, Illinois 60604

July 24, 2013

Circuit Judge Richard A. Posner\*

Nos. 07-13-90047 and 07-13-90048

IN RE COMPLAINT AGAINST TWO JUDGES

MEMORANDUM

Complainant has filed a judicial misconduct complaint naming two judges. Although the complaint alleges “collusion” and “uncivil, abusive, abrasive, hostile and obstructive conduct,” there is no misconduct set forth. The complainant is unhappy with the judges’ decisions. A judicial misconduct proceeding is not a permissible alternative to an appeal. It is not an error-correction device. See House of Representatives Report No. 96-1313, 96th Cong., 2nd Sess. (1980) at 10. If the judges erred, the remedy is not through the judicial misconduct complaint process. Section 352(b)(1)(A)(ii) of Title 28 of the United States Code and Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings specifically exclude allegations calling into question the correctness of a judge’s ruling.

Therefore this complaint is dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) and Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

\* This complaint was assigned to Circuit Judge Richard A. Posner pursuant to 28 U.S.C. § 351(c).