

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

September 26, 2013

FRANK H. EASTERBROOK
Chief Judge

No. 07-13-90079

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant is the mother of a person recently convicted of federal drug and firearms crimes and sentenced to a lengthy term of imprisonment. Last month both complainant and the prisoner charged the district judge with misconduct. I dismissed that complaint, No. 07-13-90058, on the authority of 28 U.S.C. §352(b)(1)(A)(ii), which provides that any complaint “directly related to the merits of a decision or procedural ruling” must be dismissed. See also Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

The current complaint, like No. 07-13-90058, contends that the district judge erred in handling the prosecution. It must be dismissed for the same reason as No. 07-13-90058. The court of appeals, not the 1980 Act, supplies the forum for contentions that a district judge erred. (An appeal was taken, and the court of appeals affirmed.)

The current complaint does not acknowledge or discuss either §352(b)(1)(A)(ii) or my prior decision. 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 will order complainant to show cause why the Judicial Council should not curtail her apparent misuse of the 1980 Act. See Rule 10(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.