

219 South Dearborn Street
Chicago, Illinois 60604

October 22, 2013

Chief Judge Diane P. Wood

No. 07-13-90084

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against the judge assigned to his case. The complaint makes a host of allegations about the judge with no substantiation but the main assertion is that the judge denied complainant's request to allow his complaint to be filed without payment of the required fee. A similar complaint brought by the same person against six judges was dismissed last month by then Chief Judge Frank Easterbrook (Nos. 07-13-90065 to -90070).

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). This complaint is dismissed pursuant to 28 U.S.C. §352(b)(1)(A)(ii).

Complainant has had his requests to file law suits without payment of fees denied and has been prohibited from filing complaints in one district because of the frivolousness of his filings. This is the second time his misconduct complaints have been dismissed for not complying with the Judicial Conduct and Disability Act of 1980. Any further complaint filed under that statute that does not make a serious effort to address the effect of 28 U.S.C. §352(b)(1)(A) will be summarily dismissed, and I will order complainant to show cause why the Judicial Council should not curtail his apparently frivolous invocations of the 1980 Act. See Rule 10(a) of the Rules for Judicial-Conduct and Judicial-Disability.