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

January 30, 2014

Chief Judge Diane P. Wood

No. 07-14-90012

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against a judge assigned to his multiple cases. The complaint makes unsubstantiated allegations that the judge is biased against complainant and has had improper contacts with the complainant's opposing party and counsel. Complainant requests that the judge be removed as the assigned judge and barred from being assigned any future cases of complainant.

I dismiss the complaint under 28 U.S.C. §352(b)(1)(A)(iii) because the complaint lacks sufficient evidence to raise an inference that misconduct has occurred.

In addition to dismissing the complaint pursuant to 28 U.S.C. §352(b)(1)(A)(iii), I also dismiss it under §352(b)(1)(A)(ii). 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).

Therefore, this complaint is dismissed pursuant to 28 U.S.C. §352(b)(1)(A)(ii) and (iii).