

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

August 24, 2015

Chief Judge Diane P. Wood

No. 07-15-90055

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against the judge who dismissed his case. Complainant appealed and the underlying judgment was affirmed. Complainant then filed a motion to vacate the affirmed judgment which the judge held to be moot. Complainant also wants the judge to recuse.

Even if the underlying litigation wasn't over, which it is, 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).