

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

May 12, 2016

Chief Judge Diane P. Wood

No. 07-16-90034

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against the judge assigned to her case. The complaint is that the judge did not recuse. Whether the judge should have recused is an issue that complainant could have raised on appeal, but did not. It is not the proper subject of a judicial misconduct complaint. 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).