

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

May 11, 2017

Chief Judge Diane P. Wood

No. 07-17-90016

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against a judge who has adversely ruled against complainant.

The complaint alleges that the judge ruled against her because of her ethnicity. The complaint alleges biased language by the judge but the docket does not list any court hearings in the case and the judge's orders dismissing her underlying complaint and denying her post dismissal motion to vacate the judgment do not contain any biased language. If the judge erred in the rulings, an appeal, not a judicial misconduct complaint, is the proper avenue to correct the error. 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).

Earlier this year complainant filed another complaint against a different judge which was also dismissed. Repetitive filing of insubstantial judicial misconduct complaints is an abuse of the provisions of the Judicial Conduct and Disabilities Act of 1980, 28 U.S.C. §§351-364. If complainant continues to abuse the provision of the Act, I will ask the Seventh Circuit Judicial Council to require complainant to post a \$1,000 bond before any future complaints are reviewed.