

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

August 11, 2017

Chief Judge Diane P. Wood

No. 07-17-90031

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against the judge assigned to his case. The complaint is that the judge is biased against complainant. The basis for this charge are the judge's procedural rulings on discovery and the judge's failure to accommodate complainant's disability. The complaint does not specify complainant's disability but there is a reference in the attached Motion to Terminate or Limit Deposition that complainant has auditory processing disorder and short term memory problems. Complainant's counsel has filed a motion to disqualify the judge as well as other motions about the judge's rulings. These motions are pending. Nothing in this complaint provides evidence of bias by the judge.

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) and (iii).