

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

August 18, 2017

Chief Judge Diane P. Wood

No. 07-17-90033

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed another complaint against the judge assigned to his case. The relief requested is that the case be assigned to another judge. The underlying allegation is that the judge is prejudiced against the complainant. In support of that allegation, complainant refers to the judge's adverse rulings and the judge's refusal to answer complainant in court. In dismissing his earlier complaint, I stated that not responding to complainant is not misconduct.

A review of the complaint and the docket shows no misconduct on the part of the judge. Complainant's efforts to reverse the judge's decision not to recuse is not a proper basis for 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) and (iii).