

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

October 23, 2018

Chief Judge Diane P. Wood

No. 07-18-90068

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against the judge assigned to his case. The complaint is about the judge's pretrial schedule, stay of discovery, denial of dismissal, and refusal to recuse. Any complaint such as this one 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).

The complainant also complains that the judge had a rude and nasty tone when encouraging plaintiff to hire an attorney. We all should be civil. But nothing in this complaint establishes that the tone of the judge amounted to misconduct.

This complaint is dismissed pursuant to 28 U.S.C. §352(b)(1)(A)(ii) and (iii).