

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

February 11, 2019

Chief Judge Diane P. Wood

No. 07-19-90006

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 handling of the case and the judge's failure to recuse in a challenge to his conviction in another court based on ineffective counsel.

The basis for the recusal is that the judge and the original trial counsel worked together for many years as attorneys in a government office. The failure to recuse and the other allegedly erroneous rulings can be appealed. 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).