

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

September 5, 2019

Chief Judge Diane P. Wood

No. 07-19-90040

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against the judge assigned to complainant's case. One allegation in the complaint is that the judge denied a request to transfer the case to another location. That is a procedural issue and complaints "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 alleges that the complained about judge told the trustee to file the underlying adversary proceeding. The complaint is that the judge did not recuse. The complainant also asked that the underlying case not be reassigned to any other judge in that same court.

Pursuant to 28 U.S.C. §352(a), I have reviewed the pertinent records and transcripts in this case. The complainant's reference is to a statement made by the previous judge assigned to the case who is now retired. There has been no misconduct by the complained about judge.

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