

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

October 24, 2019

Chief Judge Diane P. Wood

No. 07-19-90051

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant, a juror, has filed a judicial misconduct complaint against a judge who tried the case. The complaint is about the jury instructions that the judge gave. This judge's jury instructions, even if erroneous, do not constitute judicial misconduct. 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).

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