

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

October 17, 2019

Chief Judge Diane P. Wood

No. 07-19-90052

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM

Complainant has filed a judicial misconduct complaint against the judge assigned to his multiple cases. The complaint is mostly about the judge's adverse rulings. As to the allegations of erroneous rulings, they 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).

The complaint also alleges that the judge had *ex parte* communications with a prison official about complainant's case. Nothing further is provided as to this allegation. I conducted a limited review pursuant to 28 U.S.C. Section 352(a). The complainant alleged that the judge denied having any communications with the prison official named in the complaint or with any other prison official. The judge also checked with his staff and no one has received any communications from the named prison official. The case was decided on the pleadings. In short neither he nor his staff have any knowledge about this allegation of *ex parte* contact. I have concluded pursuant to 28 U.S.C. Section 352(b)(1)(B) that the complainant's allegation of *ex parte* contact lacks any factual foundation.

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