

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

January 10, 2020

Chief Judge Diane P. Wood

Nos. 07-20-90002 and -90003

IN RE COMPLAINT AGAINST TWO JUDGES

MEMORANDUM

Complainant has filed a judicial misconduct complaint naming two judges assigned to his case. I dismissed complainant's earlier complaint filed against one of the judges. In this complaint complainant requests that his underlying case be reassigned to other court staff. The Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351-364 under which this complaint is filed, applies only to judges, not court staff. There is no basis to assign the case to other staff.

Complainant makes unsupported allegations of misconduct against both judges but nothing supports those allegations. The complainant's main complaint grows out of an order from one of the judges that, as a sanction for filing multiple frivolous motions, complainant must send future motions to that judge with a cover letter. The judge would then decide whether the motion could be filed. If that decision is erroneous, it 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) and (iii).