

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

June 28, 2022

Chief Judge Diane S. Sykes

No. 07-22-90039

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

This is the complainant's fourth complaint in four years against the same judge. The previous complaints were dismissed because the allegations concerned the merits of the judge's rulings in the complainant's case and because nothing supported the complainant's allegation that the judge was biased against her.

The fourth complaint is similar. The allegations concern the judge's rulings in the complainant's case and accuse the judge of being biased against the complainant. As before, the allegations of bias are wholly unsupported and frivolous and are summarily dismissed under 28 U.S.C. § 352(b)(1)(A)(iii). And again, complaints about the merits of a judge's decisions are not proper grounds for a misconduct complaint and must be dismissed. *Id.* § 352(b)(1)(A)(ii). "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." STEPHEN BREYER ET AL., IMPLEMENTATION OF THE JUDICIAL CONDUCT AND DISABILITY ACT OF 1980: A REPORT TO THE CHIEF JUSTICE 145 (2006).

In my order dismissing the third complaint, I warned the complainant that repetitive filing of insubstantial misconduct complaints is an abuse of the Judicial Conduct and Disability Act. Rule 10(a) of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings* empowers the Judicial Council of the Seventh Circuit to prohibit, restrict, or impose conditions on an abusive complainant's use of the complaint process, including a requirement that she post a \$1,000 bond before any future complaints are reviewed. This new complaint demonstrates that the complainant did not heed that warning.

This is her final warning. If the complainant files another misconduct complaint that is summarily dismissed under any provision in § 352(b)(1)(A) or (B), I will ask the Judicial

Council to require her to post a \$1,000 bond before any future complaints are reviewed. *See* RULES FOR JUD.-MISCONDUCT & JUD.-DISABILITY PROC. 10(a).

For the foregoing reasons, the complaint is dismissed pursuant to § 352(b)(1)(A)(ii) and (iii). The complainant may petition the Judicial Council of the Seventh Circuit for review of this order in accordance with Rule 18(b) of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*. 28 U.S.C. § 352(c); *see* RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. 11(g)(3). A petition for review must be filed in the clerk's office of the United States Court of Appeals for the Seventh Circuit not later than 42 days of the date of this order.