

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

August 16, 2022

Chief Judge Diane S. Sykes

No. 07-22-90050

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

This is the complainant's second complaint in two years against the same judge. The first was dismissed because the allegations concerned the merits of the judge's rulings. In this second complaint, which reiterates a portion of the first, the complainant speculates that the judge falsely reported him for engaging in disturbing conduct in the courthouse to retaliate against him for his earlier accusations against the judge. These allegations are wholly unfounded and frivolous. Accordingly, the complaint must be dismissed under 28 U.S.C. § 352(b)(1)(A)(iii).

The allegations in both complaints are so plainly frivolous and outside the scope of the Judicial Conduct and Disability Act that a warning against further misuse of the complaint process is warranted. Repetitive filing of noncognizable misconduct complaints is an abuse of the 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 procedure. If the complainant abuses the provisions of the Act by filing another misconduct complaint that is summarily dismissed as frivolous, merits related, and/or not within the scope of the Act, I will consider asking the Judicial Council to require him 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)(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.