

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

November 23, 2022

Chief Judge Diane S. Sykes

No. 07-22-90084

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who dismissed his civil case. He challenges the judge's decision to dismiss the complaint and alleges that the judge (or by implication, the court clerk) failed to send him documents and transcripts that he requested.

The complainant's allegations concern the merits of the judge's decision and are not proper grounds for a misconduct complaint. 28 U.S.C. § 352(b)(1)(A)(ii); RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1). "Any allegation that calls into question the correctness of an official decision or procedural ruling of a judge ... is merits related." RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt. The complainant's allegation that he did not receive copies of documents and transcripts is related to an action of the clerk's office, not a judge, and is beyond the purview of the Judicial Conduct and Disability Act. 28 U.S.C. § 352(b)(1)(A)(i).

Accordingly, the complaint is dismissed pursuant to § 352(b)(1)(A)(i) and (ii). 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. r. 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.