

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

October 17, 2022

Circuit Judge Ilana Diamond Rovner*

Nos. 07-22-90100 through -90102

IN RE COMPLAINTS AGAINST THREE JUDGES

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint accusing three circuit judges of misconduct. He contends that the judges' decision on appeal evinces "implicit bias toward the police officer profession," does not understand the ramifications of the "Blue Wall of Silence," failed to follow the Americans with Disabilities Act (ADA) and enforcement guidance from the Equal Employment Opportunity Commission (EEOC), denied him federal and state whistleblower protections, and did not afford him rights under the National Labor Relations Board or the Illinois Public Labor Relations Act.

Allegations concerning the merits of a judge's decision are not proper grounds for a misconduct complaint. 28 U.S.C. § 352(b)(1)(A)(ii). "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. Challenges to judges' legal conclusions typically can be raised on appeal by the parties to the case—indeed, here, the complainant appealed the district court's grant of summary judgment to defendants and also could have petitioned for writ of certiorari—and thus such claims are merits related and must be dismissed. § 352(b)(1)(A)(ii). Likewise, the complainant's allegations of implicit bias are unsupported—an adverse ruling alone is not proof of bias or impartiality—and must be dismissed. § 352(b)(1)(A)(iii); *see* RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 11(c)(1)(D).

*I have been assigned to these complaints under 28 U.S.C. §351(c) and Rule 25(f) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Accordingly, the complaints against the three circuit judges that heard the complainant's appeal are 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. 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 after the date of this order.