

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

December 30, 2022

Chief Judge Diane S. Sykes

No. 07-22-90110

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who presided over his criminal case and denied his postconviction motion under 28 U.S.C. § 2255 and his motion for compassionate release. The complainant alleges that the judge was biased.

Although the complainant alleges bias, he merely recounts some of the judge's rulings and explains why he disagrees with them. The bias allegations are therefore wholly unsupported and must be dismissed; adverse rulings alone do not suggest bias or lack of impartiality. 28 U.S.C. § 352(b)(1)(A)(iii); RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 11(c)(1)(D). What remains are allegations challenging the merits of the judge's decisions, which 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.

Accordingly, 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. 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.