

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

April 7, 2023

Chief Judge Diane S. Sykes

Nos. 07-23-90008 & 07-23-90009

IN RE COMPLAINTS AGAINST TWO JUDGES

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the district judge and magistrate judge who were assigned to her civil case. She complains about the district judge's decisions denying her petition to proceed *in forma pauperis*, dismissing her complaint, and denying her postjudgment motion. She also claims that the clerk's office mailed certain documents to an incorrect address. Finally, she alleges that denying her request to proceed *in forma pauperis* was discriminatory and racist because "[t]he federal courts allow ILLEGALS to have FREE FEE WAIVERS." She makes no specific allegations against the magistrate judge, who in any event made no rulings in her case.

Most of these allegations contest the district judge's reasons for rejecting the complainant's request to proceed *in forma pauperis*, dismissing her complaint, and denying her postjudgment motion. Challenges to the merits of a judge's procedural or substantive rulings 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 action of a judge ... is merits related." RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt. The claim that the clerk's office mailed documents to an incorrect address does not fall within the purview of the Judicial Conduct and Disability Act. 28 U.S.C. § 352(b)(1)(A)(i). The complainant's allegation of discriminatory treatment is wholly unsupported and frivolous. *Id.* § 352(b)(1)(A)(iii). Any allegation of bias or discrimination must be supported by sufficient facts to raise an inference that misconduct occurred, but the complainant offers nothing to support her allegation of discriminatory treatment.

For the foregoing reasons, the complaint is dismissed pursuant to § 352(b)(1)(A)(i), (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*. *Id.* § 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.