

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

July 20, 2023

Chief Judge Diane S. Sykes

Nos. 07-23-90022 & 07-23-90023

IN RE COMPLAINTS AGAINST TWO JUDGES

MEMORANDUM AND ORDER

The complainant filed misconduct complaints against the magistrate and district judges who were assigned to her employment-discrimination case. She challenges the magistrate judge's decision to recommend that the court grant the defendant's motion to enforce the parties' settlement agreement and the district judge's decision to grant that motion and dismiss her case. She also contends that the magistrate judge engaged in "coercion" during the settlement conference by asking "many questions" and making a "threat" that the complainant would end up with nothing. She further alleges that the magistrate judge had a "conflict of interest" because the judge "excluded" her from a "court meeting" at which the attorneys discussed the motion to enforce the settlement. Finally, the complainant makes various allegations against her attorney concerning the settlement process.

The complainant's allegations about the judges' decisions in her case are not proper grounds for a misconduct complaint. Allegations directly related to the merits of a judge's decisions do not raise an inference of misconduct and must be dismissed. 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 remaining allegations accusing the magistrate judge of coercion and a conflict of interest are wholly unsupported and frivolous. A misconduct complaint must be supported by sufficient facts to raise an inference that misconduct occurred. 28 U.S.C. § 352(b)(1)(A)(iii). Adverse rulings alone are not evidence of bias or any other misconduct. And the complainant's allegations about the actions of her attorney are beyond the purview of the Judicial Conduct and Disability Act. *Id.* § 352(b)(1)(A)(i).

For the foregoing reasons, the complaints are 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.