

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

October 19, 2023

Chief Judge Diane S. Sykes

Nos. 07-23-90036 & 07-23-90037

IN RE COMPLAINTS AGAINST TWO JUDGES

MEMORANDUM AND ORDER

The complainant filed misconduct complaints against the judge who is presiding in his pro se social security case and against the chief judge of the district court. His allegations are difficult to parse, but he appears to challenge several of the presiding judge's rulings, including orders instructing him on how to file documents, sealing certain portions of the record, and directing him to cease disruptive communications with clerk's office staff. He claims that the judge's orders are a "form of harassment and intimidation" and exhibit "medical discrimination." Finally, he alleges that the chief judge should allow pro se litigants to e-file or email documents in sealed cases and to file ex parte motions.

These allegations challenge the merits of the judges' procedural rulings and other decisions in the complainant's case and thus 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 allegation that the judge's orders are discriminatory is 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 discrimination or any other misconduct.

Accordingly, the complaints 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*. *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.