

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

November 6, 2023

Chief Judge Diane S. Sykes

No. 07-23-90039

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the magistrate judge who was assigned to manage pretrial and discovery proceedings in the complainant's civil-rights action against a municipality and two police officers. The complainant alleges that the magistrate judge "seemingly terminated" his involvement in the case but continues to "take actions," thereby "cast[ing] a shadow over the proceedings."

The docket reflects that when discovery closed, the magistrate judge issued a minute order noting that the referral of the case to him was now terminated. The complainant thereafter moved to reopen discovery, which the magistrate judge denied. The complainant then sought reconsideration and clarification of that order, and the magistrate judge responded to those motions too. Since then the magistrate judge has taken no further action in the complainant's case.

The complainant's allegations raise no cognizable misconduct. Allegations concerning 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.

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