

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

August 26, 2008

FRANK H. EASTERBROOK
Chief Judge

No. 07-08-90074

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant, a federal prisoner, has filed a series of documents accusing federal judges of misconduct because they made decisions adverse to the positions he asserted.

In earlier decisions dismissing his complaints, I informed complainant that the Judicial Conduct and Disability Act of 1980 does not permit the Judicial Council to review the substance of any judge's rulings, and that any complaint that is "directly related to the merits of a decision or procedural ruling" 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." Standard 2 for Assessing Compliance with the Act, *Implementation of the Judicial Conduct and Disability Act of 1980: A Report to the Chief Justice* 145 (2006). My most recent order, entered less than a month ago, informed complainant that any future complaint that did not make a serious effort to show how it could be reconciled with §352(b)(1)(A)(ii) would be summarily dismissed.

The latest complaint does not mention §352(b)(1)(A)(ii) or make the slightest effort to show that the grievance is unrelated to the judge's decisions. To the contrary, the complaint is nothing but an effort to dispute rulings with which complainant disagrees. That complainant calls the judge in question "corrupt" (and his decisions "cheating, lies, dishonest, manoeuvres [sic] and manipulation") adds nothing; the only basis for these charges is the adverse decisions, and §352(b)(1)(A)(ii) cannot be evaded by epithets.

It is now evident that complainant is unwilling or unable to respect the limits of the 1980 Act. I therefore direct complainant to show cause why the Judicial Council should not enter an order, under Rule 10(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, curtailing his abuse of the 1980 Act's processes. The Council's order in proceeding No. 07-7-352-20 provides that future complaints from a person who had abused the 1980 Act would not be received for filing unless accompanied by a deposit of \$1,000, which would be returned if and only if the Chief Judge determines

that the complaint is non-frivolous. Complainant has 14 days to address the question whether the Council should enter a similar order concerning him. The Clerk will furnish complainant with a copy of the Council's order in No. 07-7-352-20.