

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

March 20, 2008

FRANK H. EASTERBROOK
Chief Judge

No. 08-7-352-12

IN RE COMPLAINT AGAINST A JUDICIAL OFFICER

MEMORANDUM

Complainant, the plaintiff in civil litigation, believes that the district judge lacks authority to adjudicate a suit transferred from another district. The complaint asserts that jurisdiction and venue are proper only in the original district. He is disappointed that the judge has declined to transfer the suit back to the originating district.

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). This complaint fits that description. Whether the suit should have been retained by the original district, and whether it may be adjudicated in the transferee district, are issues that may be addressed on appeal from a final decision.