

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

Ronald R. Shea,)	
)	
Plaintiff,)	Case No. 12 C 50201
)	
vs.)	
)	
Douglas Koehler, et al.,)	Judge Philip G. Reinhard
)	
Defendant.)	

ORDER

For the reasons stated below, plaintiff’s affidavit of prejudice [411] (which includes a motion to disqualify) is denied.

STATEMENT

Plaintiff, a pro se litigant, filed an affidavit of prejudice moving pursuant to 28 U.S.C. § 144 seeking disqualification of this court [411]. Section 144 provides as follows:

Whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding.

The affidavit shall state the facts and the reasons for the belief that bias or prejudice exists, and shall be filed not less than ten days before the beginning of the term at which the proceeding is to be heard, or good cause shall be shown for failure to file it within such time. A party may file only one such affidavit in any case. It shall be accompanied by a certificate of counsel of record stating that it is made in good faith. (emphasis added).

Because the statute requires that counsel of record certify that the affidavit filed under the statute is made in good faith, pro se litigants may not seek disqualification of a judge under Section 144. Watford v. LaFond, 725 Fed. Appx. 412, 414 (7th Cir. 2018). A pro se litigant seeking to disqualify a judge must do so under 28 U.S.C. § 455.

For the foregoing reasons, plaintiff’s affidavit of prejudice [411] (which includes a motion to disqualify) is denied.

Date: 6/28/2019

ENTER:



 United States District Court Judge

Electronic Notices. (LC)