

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KHOR CHIN LIM,

Plaintiff,

ORDER

v.

12-cv-492-bbc

SCOTT WALKER, STAPLES, INC.,
RON SARGANT, WIATR, LLC, RICKY
H. LAU, ELIZABETH LAU, YAN WAN,
LLOYD M. SMITH S.C., LLOYD M.
SMITH, MATTHEW G. PALMER,
J.B. VAN HOLLEN, FRANK H.
EASTERBROOK, WILLIAM J. BAUER,
ANN CLAIRE WILLIAMS, RUDOLPH
T. RANDA, CHARLES N. CLEVERT,
LYNN ADELMAN, YOK LAW, JOHN
REID, AMIR SAM DIBAEI, CITY OF
MILPITAS, JOSE ESTEVES, RONALD HACKER,
CVS CAREMARK, INC., LARRY J. MERLO,
SAFEWAY, INC., STEVEN BURD,
MITT ROMNEY, ED GALLARDO,
ORANGE TREE FROZEN YOGURT, AND
DOES 1 through 18, INCLUSIVE,

Defendants.

On July 25, 2012, I dismissed the complaint filed by plaintiff Khor Chin Lim for failure to state an actionable or non-frivolous claim arising under federal law, among other reasons. Plaintiff has filed a motion for reconsideration that is accompanied by a motion for my recusal. He alleges that I am biased and prejudiced against him and should not continue

to preside over his cases.

The motion for recusal will be denied. It is not supported by facts that identify a legitimate conflict of interest or support a finding of impermissible bias. As grounds, plaintiff notes that he filed a lawsuit against me on August 6, 2012, Khor Chin Lim v. Scott Walker, 12-cv-552 (W.D. Wis.), in which he has complained about the dismissal order in this case.

There are statutes that authorize recusal of judges for “personal bias or prejudice,” 28 U.S.C. §§ 144 and 455, but plaintiff has alleged nothing that would demonstrate that either of these apply. By themselves, judicial rulings are not a sufficient basis for recusal. Litekey v. United States, 510 U.S. 540, 555 (1994). The recusal statutes were not “intended to enable a discontented litigant to oust a judge because of adverse rulings.” Id. at 549.

Plaintiff’s motion for reconsideration does not demonstrate that the judgment was based on a manifest error of law or fact, as it must under Fed. R. Civ. P. 59(e). Boyd v. Tornier, Inc., 656 F.3d 487, 492 (7th Cir. 2011); Duran v. Town of Cicero, Ill., 653 F.3d 632, 642-43 (7th Cir. 2011).

In summary, plaintiff has not demonstrated a valid basis for disqualification. Litekey, 510 U.S. at 549, 555, and he has not shown that the dismissal order was improper or wrong. It follows that plaintiff is not entitled to relief from the judgment.

ORDER

IT IS ORDERED that Plaintiff Khor Chin Lim's motion for reconsideration, dkt. #11, and motion for recusal, dkt. #13, are DENIED.

Entered this 9th day of August, 2012.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge