

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-039

Complainant: No. 1278410514A

Judge: No. 1278410514B

ORDER

The commission reviewed the complaint filed in this case and found no misconduct on the part of the judge.

The complainant alleged that the judge was rude and biased. The recording of the proceeding revealed that the judge was patient and thorough and ruled within his discretion.

It is clear on the face of the complaint that the complainant is seeking to overturn the judge's ruling. Because the commission is not an appellate court it cannot change a judge's decisions.

The complaint is dismissed pursuant to Rule 16(a).

Dated: June 27, 2006.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on June 27, 2006.

This order may not be used as a basis for disqualification of a judge.

COMPLAINT AGAINST A JUDGE

Name: [] Judge's Name: [] Date: 2/6/2006

In all of my fifty-three years on earth, this was the worst day of my existence here. Never before or since have I been treated with the lowest standards un-becoming of a judge as I was on this nightmarish day. Judge [] DID NOT "uphold integrity of the judiciary". I preface this complaint with the following information of facts as they occurred prior to my need of "Justice" for relief. Relief which NEVER occurred.

1. Around [] I've been followed, hounded and harassed, having no privacy from that point to the present time. Upon leaving my home of 20 + years located at [] day or night, [] (approximately 30 years old) refused to leave me alone. I tell you the age, as it was unusual for a person 30 to have access to so many different (brand new) vehicles in which she used to harass etc. At the time, [] personal car was a silver [] license plate [] I have never personally met this [] but have known about her for the last five years, as, [] (my ex-boyfriend) claimed that they were "just friends".
2. Several times, I telephoned [] to ask him to have [] stop this behavior. He did not respond to my calls claiming that he was in [] [] My neighbors and I witnessed him several times driving by my home with [] in her [] during this supposed [] time.
3. On [] a Friday night, my neighbors, two of my daughters and myself witnessed him drive his [] for two hours up and down [] taunting me. (He presented false documents in the [] Court, saying he was on an airplane flying back from [] on this same date.) What kind of game they were playing, became evident as time has gone on.
4. At this point, I was tired of the game! I made a phone call that Friday evening to the police and they suggested that I get an Order of Protection. This brings us up to where [] is called upon to right a wrong by due process of law. *"A judge shall....personally observe those*

- standards so that the integrity and independence of the judiciary will be preserved." (CANON 1 A)*
5. I was in [] court that next week. Never before having filed anything such as an "Order of Protection", and now knowing had I researched more about proper procedure, I would of asked to be protected from "third parties".
 6. My first encounter with [] was cordial enough at this point. I had two orders of protection, one against [] and the other against [] [] did not grant the one against [] He did against [] I had this "Order of Protection" served by the [] Police Department at his work place [] located at the []
 7. [] countered with an "Injunction against Harassment" with many lies to be exact.
 8. Now we come to the interesting fact that upon my arrival at 8:00 a.m. for this counter "Injunction against Harassment", [] was parked outside in front of the [] court building. Once inside the building to my surprise the court room doors were closed. *"The integrity and independence of judges depends in turn upon their acting without fear or favor." (CANON 1 A). *"A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities" (CANON 2). *"A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary" (CANON 2 A).*
 9. I asked the clerks if I was suppose to be in the courtroom too! Their response to me was, "The judge is busy and you have to wait". I was very upset! Not only was I not allowed in at the 8:00 a.m. scheduled court time, but I was kept waiting fifteen minutes. I have three witness to this fact. *"A judge shall not allow....or other relationships to influence the judge's judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interest of the judge... (CANON 2 B).*
 10. When I was allowed in the court room, [] was sitting on the back bench, in the dark, and remained there for the entire proceeding. [] was also present seated at the "lawyers" table. My understanding was that it would only be between myself, [] and witnesses. Family or friends would not be allowed only when called upon to testify. My witnesses had to remain in the outer court room being allowed in only to testify. Again, they witnessed [] sitting in the back as well as [] present behind closed doors before the start of the court proceeding.

11. As I stated in the beginning, never since that time or to date have I been treated with such disrespect and downright rudeness as I was by [] on this day. One of my witnesses stated to me as I was leaving the courtroom, "Wow, that judge was so rude to you, huh?" I was devastated, confused and very hurt. *"A judge shall perform the duties of judicial office impartially and diligently. (CANON 3).*
12. As I began to "heal" and reflecting why I would have been treated so biased by [] the second time I came to his court, I realized he had a specific reason to give me "the treatment" so to speak. No telling how long behind closed doors the three of them were, it was VERY obvious to me that [] had an incentive to give me such rude treatment. *"A judge shall perform judicial duties without bias or prejudice. A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, including but not limited to bias or prejudice based upon...[CANON 3 (5)]."*
13. Also, in trying to defend myself or respectfully ask questions as was my right, [] refused to give me fair time to do so. In fact, not one time do I remember [] addressing or looking directly at me as he spoke. Is this a sign of guilt? Why was [] treating one another with such respect and I was treated as a criminal, when in the first place I was the harassed party? Justice? *"A judge shall accord to every person who has a legal interest in a proceeding,... the right to be heard according to law. A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties concerning a pending or impending proceeding...[CANON 3 (7)] ..."the judge makes provision promptly to notify all other parties of the substance of the ex parte communication and allows an opportunity to respond." [CANON 3 (7) (ii)]* In asking to amend my petition to read "third parties" [] emphatically stated, "You are too late!"
14. Just recently (copies enclosed) I asked [] for a "change of venue" to update my present location, as I no longer live in that area. At this point I am positive you will guess his response was NO! I feel like the criminal!
15. This is a very sad world today when a single woman cannot be protected from harassing people, their many associates, as well as their [] own family. I would think twice even three times, if I needed to file this "order of protection" again. Justice? Humbug!!

Upon reading the material sent to me, I understand the judge will be

notified of this complaint. I am respectfully requesting that [] not be notified. If [] is notified and still in contact with [] and company, then further harm may be forthcoming to myself or my family. Only God has protected me as they have tried several times to end my life. If you need more information in regards to this, I can provide much evidence to support it.

My three witnesses to the actual court room rudeness, and closed doors are: [] An interesting fact, [] originally agreed to testify (eye witness to them driving up and down the street), backed out last minute. [] knew her personally, maybe she had a "big incentive" as well to not come to court.

[] were the two [] who witnessed the Friday night [] harassment on [] All [] [] are eye witnesses of the vehicles to date that have followed. [] has two other brothers [] and father [] witnessed []

My confidence in the judiciary system at this time is completely gone. I always thought that the public would be treated with respect and dignity. Recent events taught me that this is not so.

Without a doubt in my heart, I believe [] [] have discriminated against me [] and continue to do so to this day. Had [] even granted my "change of venue" I may have had some relief. I will never file another "Order of Protection" as it does no good. When the "law" is called whether in [] I would have been dead before they arrived to enforce it!!!