

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-046

Complainant:

No. 1267910625A

Judge:

No. 1267910625B

ORDER

An initial review of the complaint filed in this matter reveals that the allegations involve legal issues that are outside the jurisdiction of the commission, and not misconduct on the part of the judge.

The complainant alleged that the court imposed an excessive fine for no proof of registration after proof was submitted. The determination of a fine falls within the scope and authority of the court, and such decisions cannot be reviewed by this commission. Moreover, A.R.S. 28-2532 (B) states that a person who violates subsection A is *subject* to (not limited to) a civil penalty of fifty dollars. In addition to the base fine, the court must add state mandated surcharges in accordance with A.R.S. 28-12.116.01, 28-12.116.02, and A.R.S. 28-954(C).

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

Dated: March 7, 2006.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on March 7, 2006.

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

STATEMENT OF FACTS

CJC-06-046

Your name:

Judges Names:

Date: 11 FEB 2006

On I was fined \$126 for a violation of ARS 28-2532. The Court had knowledge that the vehicle was currently registered (exhibit A), and despite the law which says my maximum fine was to be \$50, the court fined me \$126.