

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-242

Complainant: No. 1295200234A

Judge: No. 1295200234B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The judge was reminded, however, of the need to follow ADA standards in the courthouse.

The complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: November 13, 2006.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on November 13, 2006.

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

STATEMENT OF FACTS

CJC-06-242

Instructions: Please use this form or plain paper of the same size to explain your complaint. In your own words, describe specifically what the judge did that you believe is misconduct. You should provide all of the important names, dates, times and places related to your complaint, but you do not need to cite the applicable canons of judicial conduct. Although you may attach additional pages, do not write on the back of any page. You may attach copies of any documents you feel will help us understand your complaint.

Your name: [REDACTED] Judge's name: [REDACTED] Date: 09-14-06

THIS IS NOT THE FIRST TIME I HAVE HAD A BAD EXPERIENCE WITH JUDGE [REDACTED] AND THE [REDACTED] COURT.

A WHILE BACK, THERE WAS THREE BOYS FROM MY NEIGHBORHOOD WHO PAINTED GRAFFITI ON MY FENCE. THE BOY'S SISTER AND GIRL FRIENDS TOLD ME ABOUT IT. WHEN POLICE QUESTIONED THE BOYS AND TRIED TO QUESTION THE GIRLS, ONE PARENT WENT TO JUDGE [REDACTED] AND FILED HARASSMENT CHARGES AGAINST ME FOR CALLING THE POLICE EVEN THOUGH NEITHER OF US LIVED IN THE [REDACTED] DISTRICT. I ASKED FOR HEARING ASSISTANCE IN THAT HEARING ALSO BUT NEVER RECEIVED IT SO I COULDN'T HEAR WHAT WENT ON. WHEN I TRIED TO CORRECT THE PROBLEM I WAS TOLD I COULDN'T DO ANYTHING ABOUT IT BECAUSE I DIDN'T LIVE IN THE JUDICIAL DISTRICT. THE MAN WHO FILED AGAINST ME LIVED FARTHER AWAY THAN I DID. I COULDN'T DRIVE DOWN MY LOCAL STREETS BY MY PLACE FOR 6 MONTHS.

ON THIS CASE, [REDACTED] I ASKED ON THREE DIFFERENT OCCASIONS FOR HEARING ASSISTANCE. I WAS ASSURED I WOULD RECEIVE IT. ON ONE OCCASION A YOUNG BLOND LADY AT THE COUNTER ASKED IF I NEEDED SOMEONE TO "SIGN" FOR ME. I EXPLAINED TO HER I STILL HAD 100% HEARING AND READ LIPS UP CLOSE. SHE ASSURED ME THEY WOULD PROVIDE HEARING AMPLIFICATION FOR ME. THEY REFUSED THE DAY OF THE HEARING.

ON THE DAY OF THE HEARING I GOT THERE ABOUT AN HOUR EARLY AND WAS TOLD TO TAKE A SEAT AT THE TABLE BY THE SECURITY GUARDS STATION AND THEY WOULD CALL ME WHEN THEY NEEDED ME AND TELL ME WHERE TO GO. I TOLD THE MAN BEHIND THE COUNTER (ALSO A VIETNAMESE) TO "HOLLER" LOUD BECAUSE I WAS DEAF AS A POST. HE SAID HE UNDERSTOOD AND WOULD MAKE SURE I HEARD THEM CALL ME.

THE NEXT THING I KNEW, THE JUDGE WAS YELLING AT ME FROM BEHIND THE COUNTER ABOUT KEEPING HIM AND "HIS" COURT WAITING FOR ME. HE SAID HE SHOULD "RULE AGAINST ME RIGHT THEN AND THROW ME OUT OF "HIS" COURT.

THE JUDGE WAS AWARE OF MY HEARING PROBLEM IN ADVANCE. HE SAID

(Attach additional sheets as needed)

CONTINUATION / CONTINUACIÓN CJC-06-242

PAGE 9 LINE 14 / PAGE 17 LINES 8-10 / PAGE 18 LINE 22 / PAGE 23 LINE 27
PAGE 29 LINE 1 / PAGE 30 LINE 14 / PAGE 34 LINES 5 / PAGE 53 LINE 6
PAGE 54 LINES 18-22-27 / PAGE 55 LINES 4-15-17-20-22 / PAGE 56 LINES 10-23
PAGE 64 LINE 3 / PAGE 67 LINE 16 / PAGE 70 LINES 25-26 / PAGE 71 LINE 3
PAGE 72 LINE 3 / PAGE 74 LINES 14-15-24 / PAGE 75 LINE 10 / PAGE 8 LINE 23
PAGE 81 LINE 23 / PAGE 85 LINES 2-4 / PAGE 86 LINE 6

I PRETTY MUCH GAVE UP FROM THE START OF THIS SO-CALLED
"HEARING". ONLY ONE TIME IN THE HOURS WE WERE THERE DID THE
JUDGE DO WHAT HE SAID HE'D DO. "ASK PEOPLE TO SPEAK UP." PAGE 32. LINE 4

I HAD VERY LITTLE KNOWLEDGE OF WHAT WENT ON UNTILL
I PAID FOR A TAPE OF THE HEARING AND PAID OVER \$700 TO HAVE IT
TRANSCRIBED SO I COULD FIND OUT WHAT HAPPENED THAT DAY.

I HIRED AN ATTORNEY TO APPEAL AND DO SOMETHING ABOUT THE
JUDGES ACTIONS, BUT HE JUST TOOK MY YEARS INCOME AND TOLD ME
"NO ONE CAN DO ANYTHING ABOUT A BAD JUDGE IN ARIZONA" AND I
NEVER SAW HIM AGAIN HIS NAME IS [REDACTED] I JUST
HAPPENED TO READ A STORY IN THE AUG 27, 2006 EDITION OF THE AZ. REP
ABOUT YOUR EXISTANCE AND WORK.

AFTER THE HEARING THAT DAY I WAS ACCUSED OF "STEALING"
A MAGAZINE FROM THE WAITING ROOM AND THE JUDGE HADEN'T REAT IT YET.
I THINK THE SECURITY GUARD WAS LOOKING AT IT.

THIS IS KIND OF A LONG COMPLAINT, BUT I DO BELIEVE
SOMETHING SHOULD BE DONE ABOUT THE WAY THAT "COURT" IS
CONDUCTED.

CONTINUATION / CONTINUACIÓN **CJC-06-242**

SOMETHING ABOUT NOT GIVING ME ASSISTANCE WITH MY HEARING BEFORE THE HEARING EVEN STARTED. HE REPEATED HIMSELF AGAIN LATER. PAGE 22 LINE 13

HE TOLD ME TO HOLD MY HAND UP IF I COULDN'T HEAR WHAT WAS GOING ON. I HELD UP ONE HAND THEN THE OTHER UNTILL I COULDN'T RAISE THEM ANY MORE AND HE NEVER DID A THING ABOUT IT. YOU COULD TELL BY HIS DEMEANOR THAT HE COULD CARE LESS IF I COULDN'T DEFEND MYSELF.

AFTER HE IGNORED MY RAISED HANDS FOR AN HOUR OR MORE INTO THE HEARING I STOOD UP A COUPLE TIMES TO SEE WHY HE COULDN'T SEE MY HAND. HE WAS READING A MAGAZINE AND PAYING NO ATTENTION TO WHAT WAS GOING ON IN "HIS" COURTROOM. AT ONE POINT WHEN HE SEEN ME LOOKING AT HIS MAGAZINE HE TRIED TO ASSURE US HE WAS PAYING ATTENTION. PAGE 79 LINE 19-21

I MADE IT CLEAR I COULD NOT HEAR ON SEVERAL OCCASIONS. THEN MY LITTLE AMPLIFIER QUIT ON ME AND I WAS NOT ABLE TO HEAR ONE WORD OUT OF TEN. PAGE 70 LINE 25, 26 AND PAGE 71 LINE 4. THE JUDGE DID "NOTHING" FOR MY PROBLEM. I DON'T BELIEVE HE EVER HAD INTENTIONS OF LETTING ME DEFEND MY SELF.

AS FOR THE LITTLE TESTIMONY I PEICED TOGETHER, BY READING LIPS AND STANDING CLOSER TO THE WITNESSES, I CAME TO THE CONCLUSION HE "DID" RULE AGAINST ME OUT IN THE WAITING ROOM.

THE JUDGE QUESTIONED ALL MY EVIDENCE (DATES ETC.) BUT DID NOT EVEN VIEW THE APPOSING EVIDENCE. THE JUDGE EVEN TESTIFIED AGAINST ME. PAGE 79 LINES 11 ON. I AM OFFERING \$1000 EACH FOR THE SIX TIMES HE SAID I TESTIFIED "FLOODED" AND FOR ANY ONE FLEE WHO HEARD ME LIKE HE TESTIFIED. PAGE 80 LINE 3 AND 4.

FOLLOWING IS JUST SOME OF THE TIMES I INDICATED I COULDN'T HEAR THE PROCEEDINGS: PAGE 2 LINE 8 / PAGE 2 LINE 13 / PAGE 3 LINE 16+26