

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-182

Complainant: No. 1314210657A

Judge: No. 1314210657B

ORDER

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

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

Dated: August 28, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on August 28, 2007.

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

Complaint against [redacted] (hearing officer)

Case No. [redacted]

Date: [redacted]

Scheduled time 10:30am

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[redacted] called us in to the hearing at approximately 10:45am, she was running behind schedule. [redacted] swore both myself, [redacted] (Plaintiff) and [redacted] (Defendant) in. She explained we would both have the chance to present our case, without interruption from the other, but that she could say whatever she wanted at any time.

I told [redacted] that I had two witnesses outside (she would not let them come into the hearing room). She said, they can sit outside and I will call them if I need them. I told her that I had loaned [redacted] my laptop in June of 2005 and he refused to return my laptop (I had emailed him in November 2005 that I needed my laptop back. The defendant and I emailed back and forth until December 2005 when he told me I was harassing him and he did not want me to contact him further and he refused to return my laptop unless I paid him [redacted] for software the defendant installed for his own use (see Exhibits F and A)). I told her that the defendant stated in his response (see Exhibit G) that I had requested him to install software for my use, which I told her, I did not make this request (see Exhibit E). (At the time I loaned the defendant my laptop we were in a dating relationship which I ended in September 2005. The defendant was now "going to make me pay" for terminating the relationship).

[redacted] then asked [redacted] to tell his side. [redacted] preceded to lie under oath, and tell a story of how I gave him the laptop and he showed her an email which I sent to the defendant stating he could "use the laptop as long as you need to" (see Exhibit H). (It was our agreement that the defendant would need to travel with the laptop to see if it was feasible to purchase his own. I did not know how many trips he had planned and when they were scheduled so I could not pin down a date of return. At the time, I was not using my laptop and I thought he would need to take a couple trips in two or three months time and that is why I stated in the email to the defendant that he could "use my laptop as long as you need to").

I let the defendant finish his story and I stated that the defendant's statements were untrue. She said, well here (in the email) you say he can keep the laptop. I said, no, let me explain and the hearing officer refused to let me explain the circumstance of my loaning my laptop to the defendant.

She asked how old the laptop was and I stated I bought it in 2000. She said, well it's only worth [redacted] I said it is worth more than that to me. (I had paid [redacted] for the laptop, plus additional monies for a case, mouse, pad and software (see Exhibit J)).

The hearing officer would not let me introduce documents to the court as evidence to support my position that my laptop belonged to me and that I loaned it to the defendant while I was not using it and for only a couple months at the most.

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[redacted] said, the laptop is only worth [redacted] why are you asking for damages of [redacted] I tried to explain that I went on the internet to see what the replacement cost would be today (see Exhibit I), and that I expected the court to attach a fair value for it's age today, but she refused to let me explain or present my documentation.

[redacted] kept saying, well, here (in the email) you gave [redacted] the laptop, and I kept saying, no I did not, but she refused to let me present any other documents or explain any further.

[redacted] refused to call my witnesses in to the hearing, who were present to testify on my behalf, and to my knowledge, she did not review the court documents filed in response, to my filing, by the defendant or let me present my written response to the defendant's response, which was, that the defendant's statements were untrue (see exhibit E). (Another instance of [redacted] falsifying statements, this time in a court document). (In the defendant's response, his response for Relief Requested stated: "I ask the court Order the Plaintiff to accept her laptop and award me court costs in the amount of [redacted] since her filing of this action was completely unnecessary".) I tried to explain that the defendant called me on April 16, 2006, Easter Sunday, to say he was through using my laptop and was ready to return it (now that he had been served), but she refused to listen to my explanation. [redacted] failed to read or consider the defendant's court response filed with the court on [redacted] (*) (see Exhibit G).

[redacted] made a sarcastic remark about someone who opened the door to see if she was ready for the 11:00am hearing. [redacted] said, to myself and the defendant, "What, do I have to write them a book?"

[redacted] conduct was unprofessional and biased. She was not impartial and did not show due diligence in reviewing all evidence and documentation to be presented. She was rude and arrogant, acting in a "Judge Judyesque manner". She refused me my right to present all my facts and documents and to be able to call my witnesses, who took time out of their day to come down and be witnesses for my case. This is a clear violation of my rights to a fair and impartial hearing and most certainly evidence of judicial error and bias.

I don't know if this hearing was recorded or not, she did not state that it was. If so, I would urge you to listen to the whole proceeding.

[redacted] stated that her decision was, that I gave the laptop to the defendant and she was not awarding me anything. She gave my laptop (the defendant had brought it with

[REDACTED]

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him intending to return it to me), with all my personal files, that I still need, to the defendant without even allowing me to download my personal documents.

Everyone I know is totally appalled that the court system would allow a dishonest and vengeful person to be rewarded for their dishonest and vindictive actions.

Justice [REDACTED] witnessed [REDACTED] vengeful and vindictive actions, in a hearing for an injunction against harassment that [REDACTED] falsely filed against me on [REDACTED] [REDACTED] after he received my small claims filing notice, which [REDACTED] quashed on [REDACTED] [REDACTED]

I would ask the court to consider my complaint letter against [REDACTED] and review the attached documents that [REDACTED] would not allow me to present at the hearing.

My witnesses, that were not allowed to testify on my behalf in the hearing, were [REDACTED]

I would also ask the court, in this instance, and due to the blatant disregard for the law and my rights as a US Citizen to a fair and impartial hearing, to order a new hearing.

Thank you for your time and consideration.

[REDACTED]