

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-211

Complainant: No. 1316110049A

Judge: No. 1316110049B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The commission found no evidence that the judge acted inappropriately when he dismissed the complainant's motion.

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

Dated: December 4, 2007.

FOR THE COMMISSION

\g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on December 4, 2007.

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

[redacted]

August 7, 2007

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I appeared in court before Judge [redacted] on [redacted] because of a traffic ticket I had received in [redacted]

At which time Judge [redacted] heard my plea and never once gave me the option of going to trial which I was prepared to do. Judge [redacted] did not make it clear to me what my options were, nor did he seem to care much about making the law clear to anyone. He suspended the sentence and sent me on my way refusing to let me interject at any point, even when he was finished.

I went up to the window after leaving the courtroom, I asked the attendant what exactly had happened in there. She read my file and told me that the Judge had taken the fees for the ticket away, but I would still get the points on my record. I asked if I could go to traffic school. She told me probably and took my file into the Judge, which he changed.

I left confused, and wondering what someone had to do to get a trial, but enrolled in traffic school anyway as it seemed I would get nowhere with Judge [redacted] I was unable to attend due to the loss of my job. At that time I sent information into the court asking for a return to my previous suspended decision. Judge [redacted] sat on my file for weeks. When I kept calling, I was told the Judge still had my file. I finally stopped calling assuming I would receive some sort of letter from the court. When Judge [redacted] finally decided to make his decision again, he denied my request. I never received any notice from the court.

I did receive a notice almost a year later from Collections regarding the monies I owed the court. I have since filed 2 "Motions to Set Aside a Default" which Judge [redacted] has denied. I called his direct superior, Judge [redacted] who advised me to file a default motion as many times as I wanted and to get an attorney. I have asked for another court date to see Judge [redacted] and he has refused.

I can count the tickets I have had in my entire lifetime on one hand and I am not familiar with judicial procedures. I felt Judge [redacted] should have made sure I understood clearly what my choices were and what he was doing. He only gave me a chance to state what happened and

[REDACTED]

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made his own decision at that point. Judge [REDACTED] has become bored and stagnant in his position at the court in [REDACTED]. He assumes everyone is guilty and the officer is always correct. I was very clear to Judge [REDACTED] when I was in his court, that I did not do anything against the law and I still feel this way. I thought our judicial system is set up that everyone is presumed innocent until proven guilty. I think Judge [REDACTED] needs to be reminded of this fact.

I know that he believes since he has made a decision and my file indicates this decision, he can hide behind the second decision, and making him comfortable with that since my file was changed. Of course, with the amount of violations he sees in a month, he no doubt has completely forgotten what actually happened with my case, and his court, that day.

I found out a few weeks ago that my license is suspended, which cost me a job that I had been testing on for 3 months. Of course, this does not mean anything to Judge [REDACTED] or to this board. It does mean a great deal to me because I needed this job and I lost it for something that I did not commit or violate when I crossed a road that was no longer flooded and I believe I should be allowed to have a trial.