

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-230

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Complainant: No. 1343910618A

Judge: No. 1343910618B

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**ORDER**

A judicial conduct complaint was filed against the judge in September 2008. The complaint was dismissed because the judge died in October during the pendency of the investigation. Therefore, the complaint is dismissed.

Dated: November 20, 2008.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on November 20, 2008.

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

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**TO THE MEMBERS OF THE COMMISSION:**

May I preface that I will be 72 years of age and have never been a defendant in a court of law.

I appeared before Judge (not a member of the Arizona State Bar) to defend myself against a baseless Immediate Forcible Detainer action by the owners of where I had been peacefully and amicably living for nine months prior to the action.

The Corp. was/is represented by attorney According the the Bar records, has at least fifteen complaints filed against him from 1999 to the present. Mine will be added as well.

Rather than give me an opportunity to present my defense, Judge interrupted an ongoing Hearing and called me to the bench. A careful review of the recorded discussion will indicate the reasons for the following complaints:

1. Judge showed partiality towards attorney continuing the Hearing to another date without even asking me.
2. DENIED MY REQUEST FOR STAY OF WRIT AND REQUEST FOR A JURY TRIAL based on advice of attorney that the Rental Agreement I signed contained a "WAIVER OF JURY TRIAL" clause. I explained that the clause was, in my opinion, unconscionable per ARS Statute 33-1411 and that I signed the agreement under duress. Note: Balance of Rental Agreement not relevant to this complaint.
3. Becoming hostile and disrespectful admonishing me on several occasions. Most particularly, "FOR PLAYING ATTORNEY".
4. Threatening me to have to pay first-day jury costs should I succeed in appealing his decision to deny me a jury trial.

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5. Allowing            to be paid attorney's fees which I objected to based on the clause in the Rental Agreement providing that each party pay their own fees. Attorney conveniently failed to notify Judge            of the existing clause.

Perhaps after review, there will be other issues of misconduct that I have no knowledge of since I am not an attorney.

The Forcible Detainer Action was subsequently heard by another Judge Pro Tem and, after the facts were presented, ruled in my favor, NOT GUILTY. Irrespective of this outcome, I am compelled to register this complaint to the Commission and trust that this will be diligently investigated.

Sincerely,