

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-192

Complainant: No. 1398210500

Judge: No. 1398210500

ORDER

The complainant alleged that a hearing officer made an incorrect ruling based on undisclosed ex parte phone calls and letters from the opposing party. After analyzing the allegations and the hearing officer's response, the commission found no evidence of ethical misconduct. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: November 23, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on November 23, 2010.

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

2010-192

COMPLAINT AGAINST A JUDGE

Your name: _____ Judge's name: _____ Date: 7-27-10

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

In accordance with the instructions regarding the inability to reverse a judicial decision, in my opinion a complaint regarding the actions of _____ is mute.

However, my purpose in filing this complaint is due to my belief that the actions and behavior of _____ in regards to his performance as a hearing officer needs to become public record.

Regarding case number CC2008- _____:

Ernest _____ stated in his response that the \$1600.00 was for services rendered and then contradicted himself by admitting to not only asking to borrow the money but admitted to trying to pay it back through the purchase of horse feed.

1. Ernest _____ did ask to borrow \$1600.00 from me with a promise to pay it back at increments of \$300.00 a month. There was never any agreement or discussion ever that the money would be paid through the purchase of horse feed.

2. I made a point in having Ernest _____ served

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at work due to his deceitful nature and knew it was crucial that I have witness

3. Towards the end of the hearing brought up the issue of additional filings and Ernie denied having any knowledge of them. That in its self should have alerted Mr. Edith in that Ernie was lying. This was witnessed by Edith last known address:

4. The letter from Brian is an outright lie. I had one horse at his property for about a 14 month time period and a second for a few months. One horse had to be put down and the second was moved to Valerie due to Brian starving the horse. Valerie's last known address and phone are:

It is my opinion and belief that not only excepted phone calls and letters from Ernie that were never disclosed to me but Ernie also claimed my son would testify against me. I spoke with Seth regarding this and was told that he never spoke with Ernie and submitted

(Attach additional sheets as needed)

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a statement from Seth which was completely disregarded.

In addition, I would like it noted for the record, that Ernie had told me on multiple occasions that he was going to kill me. He has also continuously made a point in regards to "how much money" I have. It alarmed me to the point that I told Edith Dayna Helen Robert and Bill that I believed if Ernie was ever given the opportunity to kill me and get away with it, he would.

It is my opinion that only interest in his position as a hearing officer is to satisfy his own self interests and has an attitude of reckless disregard. There is absolutely no reason as to why he should have dismissed the case with prejudice. The fact that Ernie was taken to court afterwards regarding his credit cards supports my opinion.