

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-218

Complainant: Philip Shelton

Judge: Clyde Andress

ORDER

After reviewing the complaint, the recording of the hearing, and the judge's response, the commission finds that the judge's conduct in this case violated the Code of Judicial Conduct.

In this case, the complainant received a citation because his backyard wall was not in compliance with city height limits. A recording of the hearing revealed that the judge repeatedly suggested that the court mediate an ongoing dispute between neighbors that was not before the court, and, the judge threatened to send the complainant to jail and take away his house and give it to the city. Based on the status of the case at the time the judge made these threats, he did not have the authority to follow through on them. Rules 1.1, 1.2, 2.2, 2.3, and 2.5 of the Code of Judicial Conduct require judges to comply with the law, promote confidence in the judiciary, perform all judicial duties fairly and impartially, and perform judicial and administrative duties competently. The allegations, coupled with the judge's disciplinary history, would have warranted formal charges except that the judge is no longer on the bench.

Accordingly, the judge is hereby reprimanded for his conduct pursuant to Rule 17(a), and the record in this case, consisting of the complaint, the judge's response and this order, shall be made public as required by Rule 9(a).

Dated: March 18, 2011.

FOR THE COMMISSION

/s/ Louis Dominguez

Hon. Louis Frank Dominguez
Commission Chair

August 20, 2010

AUG 31 2010

To Whom It May Concern:

I am enclosing a packet of information that is a picture of the corruption that is going on in the Havasu City Courts. You will note that a CODE ENFORCEMENT SUPERVISOR, Janice Sorenson and A CITY APPOINTED Judge Clyde Andres are in collusion with each other to extort money and abuse of power to HARASS residence in Lake Havasu.

In my case, a wall that was grandfathered back in 1983 was suddenly an issue of being out of compliance. The grandfather clause was confirmed by another Judge who did not want his name mentioned.

I was in compliance, yet if I lowered my fence as they ordered me to I would be out of compliance. It was a no win situation, so I lowered the wall to stay out of jail and after a meeting with the Mayor on August 10, 2010, where I dropped a hint that I was taking this to the Governor, my fence was deemed in compliance by the judge and code enforcement officer on August 12, 2010.

I had a contractor come out, on the 11 of August 2010, to verify my compliance and I was told I am not in compliance by International Building and Safety Codes because I have a Spa.

How can I be fined \$300 for non-compliance, and given a year's probation, when I was in compliance, confirmed by a City Building Inspector Tom, but A CODE ENFORCEMENT SUPERVISOR SAYS, I AM NOT and the JUDGE ruled on her findings without even looking at the signed off Report from THE CITY BUILDING INSPECTOR Tom. This is just one example of the abuse and extortion by these two individuals which I am still in Dismay over. I Had to PAY \$300 for non compliance when I was in compliance and I lowered my fence to be in compliance by court order AND YET I am still out of compliance. IS THERE A ROUND 2 COMING?

If after reviewing the packet you find that I am wrong I will be forced to assume that you are in agreement with their illegal conduct and I will take this as far as I can. I have had my civil rights violated, I had to go into hiding until I could find an attorney who would help me, who said I was violated by the court but there was nothing he could do about it except get the warrant lifted. This is called JUSTICE?

If you need further victims and/or information please let me know. There are NO PROCEEDINGS going on so the phase I heard so much of WE CAN'T GET INVOLVED BECAUSE OF PROCEEDINGS is not acceptable.

I am forwarding this letter to:

Trent Franks

Nancy McLain

Jan Brewer

Buster Johnson

Judicial Conduct Commission of Arizona

Judge Andress did not file a response.