

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-325

Complainant: No. 1407710752A

Judge: No. 1407710752B

ORDER

The complainant alleged that a justice of the peace demonstrated bias by engaging in ex parte communications and making erroneous evidentiary and legal rulings during her civil traffic trial. After carefully considering the allegations and listening to the recording of the proceeding, the commission found no evidence of ethical misconduct on the part of the judge. The commission is not a court and cannot change a judge's rulings. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: February 24, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on February 24, 2011.

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

Judge [redacted] and court personnel participated in malum prohibitum thereby denying Complainant's Constitutional Rights, due process, fair and impartial trial, Federal and Arizona Rules of Civil Procedure and committed structural errors of law, fact, Canons of Ethics, and procedure. Judge [redacted] failed to yield to law, rules of court, rules of conduct, demonstrated extreme bias, and failed to demonstrate judicial and legal competence. Her egregious behavior in court has demonstrated ignorance, direct disdain and contravention to:

- Arizona Code of Judicial Conduct Canon 1
- Arizona Code of Judicial Conduct Canon 2
- The US Constitution
- Federal & State laws
- Rules of Court
- Rules of Procedure
- Rules of Testimony
- Rules of Evidence
- Judicial decorum

Specific offensive conduct details are well documented below and in electronic court transcript as noted throughout this Complaint. In addition, Judge [redacted] allowed, directly or indirectly, the court personnel to further demonstrate prejudice post-trial activities.

- a. Judge [redacted] denied, demonstrated disdain, and contravention of Complainant's Constitutional Rights to a fair and impartial trial; denied discovery, review of evidence, allowed contested hearsay, conjecture, stated personal opinion, refused foundational questioning, used prior knowledge, acted as plaintiff and witness, and did not weigh facts in evidence even after Complainant objected numerous times, noted, and documented the limitations of an unbiased Judge [redacted] of fact.
- b. Judge [redacted] allowed evidence to be entered illegally into trial, failed to abide by law, court procedures, State and Federal Rules of Evidence, Testimony, Procedure, and judicial decorum. Judge [redacted] allowed for plaintiff to not meet the standards of Burden.
- c. Judge [redacted] initiated and allowed ex parte communication several times during and outside of the hearing. Complainant alleges Judge [redacted] destroyed or caused to destroy evidence of same.
- d. Judge [redacted] purposely and willfully misstated rules of the court including but not limited to an arbitrary time limit imposed only the Complainant. Judge [redacted] purposely and willfully misstated facts and unlawfully inserted evidence, conjecture, opinion, and fabrications post trial in her written judgment.
- e. Judge [redacted] allowed for witness intimidation by an Arizona Highway Patrol Officer in the courtroom, allowed same Officer to interfere with Complainant during trial, and allowed this same officer to consult with the Plaintiff/State's only Officer/Witness while Witness testifying.