

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-221

Complainant: No. 1426010771A

Judge: No. 1426010771B

ORDER

The complainant alleged that a justice of the peace was rude, biased, and unfair in denying her petition for an injunction against harassment.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant and the court record, the members of the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission has no jurisdiction to determine the legal sufficiency of court decisions. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: October 31, 2011.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on October 31, 2011.

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

CONFIDENTIAL

State of Arizona

Commission on Judicial Conduct

1501 W. Washington Street, Suite 229

Phoenix, Arizona 85007

FOR OFFICE USE ONLY**2011-221****COMPLAINT AGAINST A JUDGE**

Your name:

Judge's name:

Date: 7-5-11

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

THE FIRST TIME I WENT TO COURT AGAINST MY NEIBBOR
ELOY VARGAS WAS 6-28-11 WITH JUDGE STEWART (NOT)
(RELATED) FOR INJUNCTION AGAINST HARASSMENT I TOLD TH
JUDGE THIS MAN WAS WATCHING ME FOR NO REASON PEEKING OUT
HIS DOOR, TRYING TO GET ME TO TALK TO HIM, COMING TO MY DOOR
OF MY APT COMPLAINING ABOUT WATERING THE TREES ON THE
GROUNDS OF THE COMPLEX, WHICH HE HAD NO BUSINESS TO THE
PROBLEM THE WATER BILL IS IN THE OWNERS NAME AND THE
WATER OUTSIDE IS ADDED WITH ELOY VARGAS APT 1# AND
THERE FOR ELOY VARGAS SPLITS THE WATER BILL WITH THE
OWNER, SO HE CAME TO MY DOOR COMPLAINING I WAS OVER WATERING
AND CALLED THE OWNER'S AND LIED TO THE HUSBAND, HE HAS NO
CONTROL OF THE WATER BEING USED OUTSIDE, I TOLD HIM
IF HE CAME TO MY DOOR AGAIN I WOULD CALL THE POLICE
THEN LESS THEN TWO WEEKS LATER I FOUND A LETTER ON THE
GROUNDS BY THE MAIL BOXES I DIDNT KNOW WHO WAS THE MAIL
WAS FOR EVEN THOUGH THE LETTER WAS FOR APT 1# IT HAD
A DIFFERENT NAME OF A WOMAN, HE DOES HAVE A GIRL FRIEND
BUT HE TOLD ME HE WAS MARRIED SO HOW COULD THIS BE
FOR HIS GIRLFRIEND, I WENT TO MY DR'S APPT TOOK THE LETTER
WITH ME TILL I GOT BACK WHEN I GOT BACK THERE WAS
A NOTE OF WARNING ABOUT TAKING OTHERS PEOPLE MAIL
AND RETURN IT I REALIZE THIS LETTER WAS NOT FOR HIS WIFE
BUT FOR HIS GIRLFRIEND, SO I CALLED THE POLICE TOLD THE
POLICEMAN WHATS THE PROBLEM WAS AND ASKED HIM TO GO TO
ELOY VARGAS AND GIVE HIM THE LETTER AND ASK THE
POLICEMAN TO TELL ELOY VARGAS I WAS GOING TO FILE A
HARASSMENT TOWARDS HIM SO I SAW JUDGE STEWART ON 6-28-

(Attach additional sheets as needed)

WHAT I AM WRITING TO YOU WAS WHAT I TOLD JUDGE STEWART HE WAS REALLY TRYING TO HELP ME BUT THERE WASNT ENOUGH EVIDENCE TO WARRANT A INJUNCTION OF HARASSMENT SO THAT WAS THAT, THEN TWO DAYS LATER I REMEMBER THAT ELOY VARGAS DID THREATEN ME, WHEN I TOLD HIM I WASN'T GOING TO BUY HIS CAR FOR SALE HE GOT REALLY MAD WITH ME AND SAID "I WILL TAKE OF YOU" I SAID "WHAT DO YOU MEAN" HE SAID NOTHING AND WALKED AWAY, SO THEN I WENT BACK TO COURT THIS TIME I GOT JUDGE TOLD

HIM WHAT I AM WRITING PLUS ELOY VARGAS HAD THREATENED ME, HE DIDNT BELIEVE ME OR MY COMPLAINTS PLUS I TOLD HIM HE HAD SOME MENTAL PROBLEMS, HE ACCUSED ME I WAS THE TROUBLE MAKER HE SAID DO YOU REALIZE HOW SERIOUS TO PUT A INJUNCTION TOWARDS ELOY VARGAS AND HE NEEDED ONE MORE THREAT TO ORDER THE THE INJUNCTION, I SAID ARE YOU WILLING TO TAKE THE RESPONSIBILITY IF SOMETHING WAS TO HAPPEN TO ME NO REPLY ALSO HE SAID SOMETHING THAT WASN'T NICE TO ME I DONT REMEMBER HE ACTED BIASED TOWARDS ME, MAKING A FAST RULING NOT GIVING ME A CHANCE TO EXPLAIN MY CASE NOT LISTENING TO ME, INTERFERING ME, BEING RUDE AND NOT BEING FAIR WITH HIS JUDGEMENT

I FOUND OUT BY ASKING JUDGE ANDREW GOULD
SECTERARY THAT JUDGE HAS HAD OTHER
COMPLAINTS TOWARDS HIM, I FEEL HE NEEDS
TO BE REMOVED FROM BEING HEAD JUDGE
IN THE COURT AND BE GIVE TO SOMEONE
JUDGE PAUL PLANTE WHO IS MORE FAIR
AND JUST IN DECISION AND THE YEARS OF
EXPERIENCE HE HAS IN THE COURT SYSTEM
JUDGE IN MY OPIDION LACKS
"GOOD JUDGEMENT" AND FAIRNESS AND
TO YOUNG TO OVERSEE OTHERS JUDGES
WHO HAVE BEEN IN THE COURT SYSTEM LONGER