

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-274

Complainant: No. 1430510562A

Judge: No. 1420510562B

ORDER

The complainant alleged that a superior court judge was biased and improperly issued an order despite a lack of jurisdiction in the underlying case.

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 related minute entries available online, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to investigate the legal sufficiency of the judge's ruling. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: December 19, 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 December 19, 2011.

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

NOV 01 2011

2011-274

Facsimile Transmittal

Date: NOV 1 2011

To: Heith SCOTT JR / George A. Riemen

From: _____

Subject: Judicial Misconduct committed

No. of Pages: By

(including first page) 1 of 38

Judge is charged
with violating the ARIZONA code
of judicial conduct by issuing
AN EVICTION ORDER when Judge
tknew that the case had BEEN REMOVED
TO FEDERAL COURT AND JUDGE
had "NO" JURISDICTION, but is on the
TAKE with his friend ATTORNEY DAVID G. HERBERT

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2011-274

Facsimile Transmittal

Date: NOV 1 2011

To: Judge

From: _____

Subject: Motion To Vacate / and or Judicial

No. of Pages: 1 of 37 Notice
(including first page) BANK OF N.Y. V. RI. BADENBERG
ET AL

Motion To vacate Judge
exparte order dated 10/20/11
IN which the court had NO
Jurisdiction, case NO CV2010-
having been removed to Federal
Court on 9-7-11 cv-11:
The court's order of 10/20/11 is
A clear violation of the ARIZONA
Code of Judicial conduct.

cc George A. Riemer
Keith Stott Jr
Commissioner of Judicial Misconduct

ARIZONA
Keith Stott Jr, Director
Commission on Judicial Misconduct
1501 W. Washington Street Suite 229
Phoenix AZ 85007
(602) 542-5200
Fax: (602) 542-5201

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Commission on Judicial Conduct
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