

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-297

Complainant: No. 1214010509A

Judge: No. 1214010509B

ORDER

The complainant alleged a justice of the peace improperly issued orders resulting in the suspension of the registration of a vehicle he owned. He further alleged court staff mistreated him.

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 judge's response, 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 review the legal sufficiency of the judge's ruling. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: January 11, 2013

FOR THE COMMISSION

George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on January 11, 2013.

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

November 1, 2012

NOV 02 2012

Commission on Judicial Conduct

1501 W. Washington Street, Suite 229
Phoenix, AZ 85007

Pima County Justice of the Peace #7

This case started when Complainant was sent a letter to his home suspending the registration of his vehicle for failing to provide proof of insurance. The Complainant contacted the Division of Motor Vehicles and was told that since this was done by order of a court, there was nothing they could do. This was even despite the fact that DMV records showed the vehicle was covered by insurance on the date in question.

Complainant contacted the court that issued the order, as identified by DMV. The clerk that answered the phone stated that the vehicle was pulled over for speeding and a citation was issued to someone who was not the owner of the vehicle. The clerk further stated that the court had issued suspensions to everyone with the same last name as the defendant to seek defendant's compliance with citation. This type of "dragnet" operation was apparently the normal course of action for the court. The clerk also stated that the defendant would have to come in to resolve the ticket before it would lift the suspension on Complainant/Owner's vehicle. (Phone call recorded)

On October 31, 2012, Complainant went to the offices of the Justice of the Peace to file a motion seeking the lifting of the suspension to his vehicle and providing proof of insurance. The clerk reiterated that the defendant had to come in to resolve the ticket (blackmail). When Complainant told the clerk that he was not interested in the opinion of the clerk, "only the Judge," the clerk issued a "panic alarm" and over a half a dozen Deputies from next door swarmed upon Complainant (who was already in the parking lot). The Complainant was questioned for about five minutes and released. This offensive intimidation tactic also appears the normal course of action for the court.

To place the *icing on the cake*, all personnel, including those appearing at the customer window, were garbed in hideous outfits in celebration of the pagan holy day. This state sponsored support of a religious activity similarly shows problems in that court.

All these acts show that _____ has lost complete control of her office and allows illegal "dragnet" operations, ordering the registration suspension of an unrelated party's vehicle. This was done without service of any kind and without jurisdiction to act upon a party who was not responsible and had no knowledge of any of the alleged acts.

The Complainant has an Arizona Public Records Act request to be provided with the order to suspend Complainant's registration and the video recording of the office visit showing the unprofessional and hideous actions of _____ office. The Complainant therefore requests that final action on this complaint await a supplemental filing of those documents and a brief.

In the meantime, with the seriousness of the misconduct displayed by _____ this Commission considers the immediate opening of an investigation into the _____ County Justice Court #7.

Dragnet operations, intimidation and blackmail are not tactics that should be employed by a judicial branch of Arizona. State sponsored (highly offensive) religious celebrations should not be permitted on the taxpayers' time.