

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-207

Judge:	No. 1102911286A
Complainant:	No. 1102911286B

ORDER

The complainant alleged that a pro tem municipal court judge improperly entered a default judgment in a case and denied the defendant an opportunity to be heard.

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 review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission approved sending the judge a private advisory regarding court policies in civil traffic matters. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: December 11,2013.

FOR THE COMMISSION

/s/ Louis Frank Dominguez

Louis Frank Dominguez
Commission Chair

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

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

George A. Riemer
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

Dear Mr. Riemer:

As per our phone conversation Monday morning a week ago, I am responding to your request to submit the events of my parking ticket, dated signed by And thank you for allowing me to fill out an Affidavit of Truth in lieu of the complaint form included with your letter, dated Our City Officials and Employees are ignoring the fact that anytime any government official takes any action, that action must be authorized in law, Constitutional authorization, only, acted upon pursuant to that official's Oath of Office. Our Officials and Employees are willing to violate the public trust and thereby deny, disparage, and thumb their noses at their "Oath of Office" mandate. Their oath is not a formality. It is suppose to be given in exchange for the Public Trust and is suppose to be an attestation that the oath-taker knows the law, and will abide by it. The oath-taker has a fiduciary responsibility to the men and women of Our City Officials and Employees choose to ignore that fact. Our City Manager and Court Officials have injured the men and women of in violation of any "Oath of Office."

DECLARATION IN THE FORM OF AN AFFIDAVIT OF TRUTH

This Declaration is made without prejudice:

I, the undersigned affiant, a living, breathing, flesh and blood, natural born Sovereign American and Arizona citizen, living upon the land of Arizona, who has and claims all Rights guaranteed to her in the federal and state Constitutions, with her name lawfully spelled only in upper and lower case letters. Hereby, make's this affidavit of my own free will and hereby affirm, under my oath, declare that I am of majority and competent to state the matters set forth herein with first-hand knowledge of the facts, that they are true, correct, not misleading, and certain admissible as evidence and requires your written response to me within 30 days, via your own, sworn and notarized affidavit, specific to the subject matter specified in this affidavit. Notice to the Principal is Notice to the Agent, and Notice to the Agent is Notice to the Principal. You are hereby noticed that your failure to respond, as stipulated, and

rebut, with particularity, anything with which you disagree in this affidavit, is your lawful, legal and binding agreement with and admission to the fact that everything in this affidavit is true, correct, legal, lawful, and fully binding upon you in any court in the United States of America, without your protest or objection, or that of those who represent you. Your silence is your acquiescence. See;

legal responsibility is “the first essential of due process of law.” Also, see...!

silence can only be equated with fraud where there is a legal or moral duty to speak or when an inquiry left unanswered would be intentionally misleading.”

1. This plain statement of fact, being a matter that must be expressed to be resolved. In Commerce truth is sovereign. Truth is best expressed in law in the form of an affidavit. An uncontroverted affidavit stands as truth in commerce and becomes the judgment, can only be challenged by a rebuttal affidavit item for item signed under penalty of perjury, and can only be satisfied by payment, agreement, resolution, , or by a trial by jury according to the common law of Arizona.
2. I, _____ hereby state under my oath, that on the _____ a CITY OF _____ ARIZONA MUNICIPAL PARKING TICKET AND COMPLAINT was placed on vehicle windshield in the middle of the night signed by _____ This pink piece of paper _____ was not accompanied by a filed valid cause of action complaint.
3. I, _____ hereby state under my oath, that my _____ returned the pink piece of paper to the clerk of the court window, on _____ stating “I do not know what this is.” The Clerk asked my _____ “Who owns the vehicle?” and my _____ responded “The State of Arizona”.
4. I, _____ hereby state under my oath, on _____ court clerk _____ signed a caption in the upper left hand corner of the pink piece of paper which states and I quote, “Defendant appeared, refused to listen to clerk or to plead and left” There was no judge present.
5. I, _____ hereby state under my oath, on _____, I _____ received a incomplete instrument demand Notice, dated _____ stating a default judgment was entered against you and the civil sanction of _____ was imposed. This incomplete instrument was not signed by anyone and was returned to the court. _____ asked the clerk to sign the letter, and the clerk’s response was and I quote, “You don’t think I’m signing my name to that, do you?”
6. I, _____ hereby state under my oath, on _____ I signed a request to have a copy of the default judgement. We were told that there is no default judgment.

7. I, _____ hereby state under my oath, on _____ after being told there is no Magistrate Judge, I signed an Information Request for copies of all active assistant magistrates Oaths of Office. I received copies of Oaths for _____ and _____
8. I, _____ hereby state under my oath, on _____ I signed a request to have a copy of Officer _____ of Office.
9. I, _____ hereby state under my oath, on _____ I signed a request to have a written statement that there is no _____ Clerk of the Court and Supervisor does not have an Oath of Office. Note notation at the bottom of the Information Request, signed by _____ that there is no official position at Magistrate Court called Clerk of the Court and that the supervisor at the Magistrate Court does not have an Oath of Office.
10. I, _____; hereby state under my oath, on _____, that a NOTICE OF DELINQUENT ACCOUNT was mailed with an amount due of _____. This Notice was also returned to the _____. This bill/demand was mailed from _____ in a FARE Program envelope.
11. I, _____; hereby state under my oath, on _____ that Mayor and Council appointed 3 more as Assistant Magistrate Judges.
12. I, _____; hereby state under my oath, on _____, a PREVENT COLLECTION ACTION was mailed from LDC COLLECTION SYSTEMS envelope with a _____ demand letter enclosed. This too, was returned to Magistrate Court.
13. I, _____ hereby state under my oath, on _____, I again requested copies to view _____'s file and was given copies of everything in the file. There still is no Default Judgment. I was given copies of nine pages and Note the second page, Assigned to FARE was written and scratched out.
14. I, _____ hereby state under my oath, on _____ ny _____ sent a 3 page letter to _____ requesting validation of your claim per the Fair Debt Collection Practices Act. To date, _____ has failed to respond. This letter was also Cc to City of _____ | _____ Collection Systems, FARE Program,

15. I, _____; hereby state under my oath, on _____, I went back to the Magistrate Clerk and gave _____ a Written Request to provide affidavit of _____ signed by him and to provide a copy of a verified default judgment or a signed statement that is or not a default judgment. _____ was very hateful and stated that I could not look in the file. She finally consented that I could look at the file, but you will not touch it. So she held it up to the window for me to peruse. Still no default judgment. _____ refuses to provide me with a written statement that THERE IS NO DEFAULT JUDGMENT OF RECORD.

16. I, _____; hereby state under my oath, on _____, I filled out a information request for _____ Oath of Office for the _____ for Judge or Clerk and please note signed statement at the bottom signed by _____ that an Oath of Office for _____ as Judge or Clerk _____ does not exist. _____ signed her name as both _____ on _____. This criminal activity has been going on for years. They operate outside the law and do not honor an Oath of Office. I have never appeared before _____ l when she was impersonating _____

17. I, _____; hereby state under my oath, on _____, my _____, mailed by Certified Mail Return Receipt, a Public Records Request to _____ Secretary of the State, _____ referencing _____ as _____. When we call and ask this question, I'm told that there is no FARE location or phone number. But contrary to the certified mail to FARE Program, the green return receipt is not returned, but a postal confirmation tracking printout shows a human being signed for the letter. To date, there has been no response.

18. I, _____; hereby state under my oath, _____, I attended the _____ City Council Meeting. During HEAR FROM THE CITIZENS portion of the meeting, I asked Mayor and Council not to move on ORDINANCE NO: _____, because I had turned it in for investigation. _____ told Mayor and Council, that they need to pass ORDINANCE NO: _____ to close the loop hole because as it stands tickets would have to be dismissed. I requested that City Manager, _____ immediately step down because he is in violation of ARTICLE 4 and 6 of the Arizona Revised Statutes and read to Council ARTICLE 4. OATH OF OFFICE 38-231 paragraph A. and F, 38-232 TIME OF OATH paragraph 1., and ARTICLE 6 VACANCY IN OFFICE _____ paragraph 9. Mayor, and Council moved forward anyway on ORDINANCE _____ for its first reading. Mayor, and Council kept looking at City Attorney for his nod. Is the City of _____ Manager, Mayor, and Council authorized to make the people a partner with the state in ownership of a vehicle.

19. I, _____, hereby state under my oath, on _____, _____ hand delivered a copy of my complaint that I certified mailed return receipt on _____ to Commission on Judicial Conduct. _____ had it file stamped for the council members. Since you already have a copy of that packet, I won't include it again with this mailing.

I, _____, not being an expert in law, however, I do know right from wrong. Silence stands as consent to, and tacit approval of, the factual declarations here being established as fact as a matter of law and this affidavit by Declaration will stand for final judgment.

Lawful notification has been provided to you stating that if you do not rebut the statements, charges and averments made in this Affidavit, then, you agree with and admit to them. Pursuant to that lawful notification, if you disagree with anything stated in this Affidavit of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your written, notarized affidavit of truth, based on specific, relevant fact and Constitutionally compliant law to support your disagreement. Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this Affidavit of truth is true, correct, legal, lawful, and is your irrevocable admission attesting to this, fully binding upon you in any court of law in the United States of America, without your protest, objection or that of those who represent you. All Rights Retained without prejudice UCC 1-308, 207.

**NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENT
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Further affiant sayeth not!

Coconino, county)
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fact are from her personal knowledge and I hold these truths/facts to be self-evident that has/have been presented, mentioned above, and herein and throughout this page
AFFIDAVIT OF TRUTH is/are true, correct, complete, certain and not misleading to the best of my knowledge, so help me Almighty God, Ex. 7:4, 22:1-26, Lev 25:23, Deut. 25 13-16, Isaiah 9:6, Matt. 5:33-37, Luke 2:49, Titus 1:10-16, but not limited to.....Caveat Emptus on this