#### State of Arizona

### COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-289	
Judge:	No. 1103514797A
Complainant:	No. 1103514797B

### **ORDER**

The complainant alleged a superior court commissioner engaged in improper ex parte communications.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 commissioner did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: February 3, 2014.

FOR THE COMMISSION

/s/George Riemer

George A. Riemer Executive Director

Copies of this order were mailed to the complainant and the commissioner on February 3, 2014.

## **CONFIDENTIAL**

State of Arizona Commission on Judicial Conduct 1501 W. Washington Street, Suite 229 Phoenix, Arizona 85007

## FOR OFFICE USE ONLY

2013-289

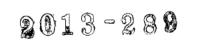
# COMPLAINT AGAINST A JUDGE

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#### COMPLAINT AGAINST A JUDGE

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words
what you believe the judge did that you believe constitutes judicial misconduct. Be specific and list all of the
names, dates, times, and places that will help the commission understand your concerns. Additional pages may
be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper
only, and keep a copy of the complaint for your records.

Name: Judge's Name:

If the Petitioner is understanding the denial order correctly, it seems highly suspicious that the denial comes after the Judge requested Petitioner to re-submit the Motion for Summary Judgement, the Order, and attach a "Notice for Hearing". At this point no Hearing was set, the Order was removed from the Motion for Summary Judgement Packet and the Judge issued a denial, and has been accused by Respondent of ex parte communication in regards to the same.

The Motion for Summary Judgment is based on the areas of the original Petition that the Respondent admitted to in open court, protects the in this case, and in accordance with Arizona Revised Statutes is justified.

At this point Petitioner has concerns that indeed an injustice has been committed and possibly more than once. If the facts show the ex parte communication, then it seems suspicious that the Motion for Summary Judgment was denied because of that communication. When in fact a hearing should have been set in regards to granting the order based on already admitted and testified allegations in this case. Petitioner also has concerns to this case being biased, now and in the past, due to the ex parte communication and also now for the reporting of those possible illegal and inappropriate actions.