

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-052

Judge:	No. 106961489114892A
Complainant:	No. 106961489114892B

ORDER

The complainants alleged that a municipal court judge was biased, improperly failed to recuse herself, and denied them an opportunity to be fully 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. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: April 9, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainants and the judge
on April 9, 2014.

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

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

FOR OFFICE USE ONLY

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COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

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.

See attached statement & CD's of
Court Hearing.

Judge Refusal when Mr.
Continues to harass - Filed letter to Judge
on

Commission of Judicial Conduct
 1501 W. Washington Street
 Suite 229
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Regarding case

Judge refused to allow defense counsel for Mr. _____ in courtroom. There was a NOA filed by Mr. _____ and also the attorney I hired for Mr. _____. Both were denied access to the courtroom and threatened contempt of court if they tried to get in there.

Closed public courtroom and would not allow any witnesses from _____ or anyone else in courtroom in support of his defense.

_____ only filed one issue on his injunction against harassment against _____ and when the Judge told him that it does not constitute getting an injunction against Mr. _____ he was allowed to make up whatever he wanted and she accepted it as testimony against Mr. _____. Mr. _____ denied it and she still accepted _____ lies and accusations with no written proof or witnesses.

_____ was the person who was run off the road in the incident on _____ which had no witnesses but _____ turned that statement around and the Judge believed him with no proof whatsoever.

The Judge should have recused herself once she knew that Mr. _____ was the spouse of a County Attorney Employee since she was removed from that office years earlier under very extenuating circumstances. I believe she was removed from their employment after giving ineffective counsel during a trial and I am positive it has left a very bad attitude towards this office and anyone affiliated with it.

Officer _____ testified that he was the officer called to the incident on _____ and let everybody go home without being cited. It was just a neighbor dispute that nobody saw anything and everyone was free to leave. Five days later on _____ he was instructed by his boss Sgt. _____ (who you will hear his testimony after being caught in a lie on the recording on _____ to cite Mr. _____ because now _____ was saying he was poked by Mr. _____ in the altercation of Mr. _____ being run off the road. Sgt. _____ would not charge _____ for running Mr. _____ off the road but because _____ is a very convincing liar and looks very fragile compared to _____ who looks very husky and healthy.

Officer _____ also testified that he was brought a surveillance video taken at _____ home on _____ that day of the incident and it did not show Mr. _____ touching or poking or having any contact with Mr. _____. The Judge shrugged it off and picked and chose what to believe and did not weigh the facts that Mr. _____ is was perpetrating to the court with no witnesses or confirmation of his accusations. He used the charge he got Mr. _____ charged with as evidence of his getting the injunction which is the opposite of what should be done.

I believe that the Judges decision was made in a unprofessional manner with prejudice and malice and has now lead to more threats by Mr. _____ against the _____ by Mr. _____ wife _____ by taking pictures while Mr. _____ is in his yard and filed a frivolous lawsuit for defamation of character for _____. We are the second neighbor having a frivolous lawsuit filed by Mr. _____ for that amount because he is trying to threaten and intimidate the neighborhood to stay away from _____ and to extort money from vulnerable individuals to pay off a judgment he has against himself done a few years ago.

The Judge did state at the end of the hearing that if Mr. _____ or uses a 2nd or 3rd party to provoke or harass or intimidate Mr. _____ that she would be bringing him back in the court but I don't see that happening anytime soon. If this case was clear cut against Mr. _____ why would a Judge make a statement such as that?

_____ and _____ are the instruments used with _____ and _____ to threaten and intimidate the neighbors around _____ because of her having her ex-husband removed from her premises because of his violent temper. Mr. _____ is totally committed to do whatever Mr. _____ (ex-husband) wants to harass and intimidate _____ and anybody else who gets in his way of this game he is playing.

We have had to buy another camera and camcorder and get a surveillance cameras for our home to protect ourselves from _____ and _____ and their accomplices _____ and _____. We feel this is the only way to protect us from anymore lies and deceitful accusations and also to prove they are out of control in the neighborhood.

I believe the Judges decision was based on prejudice, misconduct and retaliation to the office that I work for. She has violated our civil rights and the right to defense counsel being present and able to represent us in both cases in this complaint.

At the least, Judge _____ should be reprimanded for her prejudicial actions and comments and not allowed to ever preside over anybody who is affiliated with the office she was removed from which is the _____ Attorneys Office.

As a follow up on _____ versus _____ I attached the following letter to Judge _____ and requested some kind of action against Mr. _____ and I got a message saying that the Judge will not be doing any action on the police report filled out and the incident reported this morning with Mr. _____ laying in wait for me to approach the main road of me going to work. This is all harassment by _____ and the Judge still does not want to address this.

Again this Judge is prejudice and is retaliating against _____ Attorney office employees by her actions and needs to be addressed and disbarred. She has shown her animosity, prejudice, unprofessionalism and nepotism because of Mr. _____ using his sympathy on the court fearing us when **we are** actually the people in fear of our lives.

I do not take lightly of filing this report against the Judge since she has shown no objectiveness and in her recording she said if Mr. _____ does anything to provoke Mr. _____ or using a 2nd or 3rd party, she would address this and **SHE IS NOT GOING TO DO ANYTHING ABOUT IT**. The Judge's testimony is at the least fraudulent since she had no intention in protecting any of us but Mr. _____. The fact that she is doing nothing in response to my letter is proof positive of her prejudice and ineffective carrying of the law of harassment and intimidation.

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Please Read attached Summary. I also
 attached letters from neighbors that Judge would
 not Allow either in writing or in person.

As of this date Mr. _____ is taking pictures
 of me and anybody who comes to our home to
 harass me and my Company. See attached Police
 Report.

Court hearing tapes attached.

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Re: vs. - Injunction against harassment

Against the Judge should have recused herself since I am a Attorney Office employee and the attorney friend of mine was on leave from the same office representing me.

I gave two statements on from two neighbors verifying how likes to defame me and my husband and threaten and intimidate the neighborhood and on the beginning of this hearing on this date the Judge said the statements were not notarized and she would not accept them because it was hearsay. On the continuance of my hearing on I brought the witnesses in the court and the Judge said she will not accept their testimony and did not want to hear what they had to say about Mr.

This is an outright case of prejudice and malice on the Judge's part against me and anybody who came to testify on my behalf.

On the beginning of this hearing on the surveillance tape was shown where Mr. threatened me on his leaving the Justice Court on his scooter and the Officer showing the tape which was moving a bit faster than actual movements stated he did not believe Mr. said that even though there was no audio to the tape. I was not allowed to explain anything because when I tried to talk the Judge cut me off mid-sentence. I gave the actual time and place of the incident and filed a police report because I was told by Mr. when he left the courthouse, "you will pay bitch" and Mr. had a baseball cap on and his head looking down as he said that. He is very cunning and after that was said it showed Mr. going in and out of the courthouse at one point with papers in both hands held in the air and that is when he accused me of getting legal advice from the court clerk even though I was only there to pick up the mail for my job at the attorney office. I never asked for legal advice since I work for attorneys. I was not allowed to explain and my attorney representing was cut off and not allowed to say much of anything since the Judge said she wasted too much time on the earlier hearing and was going to continue this on

Or without revisiting the tape of the incident with Mr. and allowing my defense of it, the Judge stated she did not believe me and did I know what perjury was. I had the security guard testify and the Judge would only allow what she wanted him to say before cutting him off on any testimony that would help me. He was the person I asked to walk me out of the courthouse that day of the incident with Mr. because I feared him. The Judge said that the tape showed me smiling at the guard so she did not believe I was afraid of Mr. The smile on my face, which I was not allowed to explain, was because of a remark made in the courthouse about Mr. yelling and screaming to everybody. He even put in a complaint on the security guard who was not allowed to explain since the Judge cut his testimony off. accused the security officer of discrimination when Mr. was asked politely to move his scooter out of a designated employee area.

Sgt. was put on the stand as a witness since because of his actions and the Sheriff Office being called to our neighborhood (at that time times) for this neighborhood dispute, he has sided with and because they are the "good old boys club crap" that is going in County. Now the calls are up to around for the Sheriff Office. The majority of the calls are from and and is only the person putting himself in the middle for attention and showing his loyalty to these two partners in this scandal. Sgt. threatened me and my husband in his office after sending his deputy out to cite my husband. Sgt. said that because I stuck my nose in business to protect her when Sgt. was going to disregard the Order of Protection put on her husband and allow him to take a second civil standby to get property from her garage. If I did not back off, just like my husband was cited I would be cited for something and I should know how the county frowns on it's employees getting in trouble with

the law.