

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-093

Judge:	No. 1099711436A
Complainant:	No. 1099711436B

ORDER

The complainant alleged that a justice of the peace improperly failed to dismiss his case with prejudice.

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: May 14, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judge
on May 14, 2014.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2014 093

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.

Arizona needs to update it's laws. This practice of allowing uneducated fools to laugh themselves to the bank with six-figure incomes is putrifying. It seems there were not enough legally educated souls around when the law was written. The state will likely end up paying for it some day.

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By law, "Justice of the Peace" _____ had 60 days to make a ruling on all motions. I have given her many months in which to rule on my Motion to Dismiss the Defendants "counterclaim" with prejudice. However, I have not received any ruling or other response from her court.

After several months of no response, I proactively contacted the _____ via telephone only to discover that she deemed my Motion "moot" and ignored it. There is absolutely nothing "moot" about my Motion. She cannot do this. She is REQUIRED to dismiss the Defendants claim against me. This was agreed to by all parties in front of a court-appointed mediator, using court-provided paperwork which stated, in part:

"The court will dismiss the parties claims with prejudice 6 months after this agreement is signed".

The agreement was signed and the court failed to dismiss the parties claims with prejudice. The court MUST dismiss the parties claims with prejudice. In fact, to correct its own (clerical?) error, the court must dismiss the parties claims with prejudice nunc-pro-tunc (RETROACTIVELY EFFECTIVE 2009). She has NO OTHER ALTERNATIVE. She is BOUND by the contract of the mediator and stipulation between the two parties. She FAILED TO DO SO. It has been around _____ since the dismissal with prejudice should have occurred. I even filed a motion to prompt the court to take the action that it MUST DO; should have already done; yet failed to do... No response from the court, whatsoever. She needs to be sanctioned and removed from office for failure to perform the duties of her office. Again, this claim against me personally MUST be dismissed WITH prejudice. Her failure to have done so has resulted in the refiling of the claim against me and a massive claim against the county.

If this is matter corrected promptly, said claim will go away in its entirety. Otherwise the County will be liable to me for all of my damages in addition to the suffering I have endured and am sure to endure in the future due to her negligence. I have been to law school and have absolutely no problem filing a federal complaint against her and the county, asking a judge to deem her "immunity" just as much of a joke as her lack of law school education somehow makes her a judge. Thank you for investigating promptly.