

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-096

Judge:

Complainant:

ORDER

The complainant alleged a city court judge made improper rulings in a traffic case.

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.

The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. In addition, 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 22, 2015

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 April 22, 2015.

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

2015-096

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 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.

Please see attached Complaint
and detailed list of events or timeline

Complaint Against _____ and _____ Court

I received a photo radar ticket from the city of _____ dated the _____ of _____. I did not sign this ticket which was mailed to me as I did not want to wave away my rights. It said I was going _____ miles an hour on _____ avenue which has a speed posting of _____ miles an hour. I remember the incident as I was a vendor at the _____ and drove that route for almost a month, with no problems. On this particular day there was a driver going very slow and holding up traffic. Another driver ahead of me and myself proceeded to pass. In order to pass safely, we had to increase our speed so as not to obstruct traffic in the lane we were passing in. The driver ahead of me was flashed with the photo radar and I saw a _____ flash so I looked down at my speedometer, It said I was going _____ mph. so, I figured the _____ flash was the back end of the car ahead of me. My driving record has been perfect. I have no tickets on my record until this one. I do not speed and I am a law abiding citizen, again with no prior tickets on my record.

I did not get or sign a summons, however, one was left on my door. I did not feel it was legal as it was not presented to me personally. I called an attorney, _____ and _____ (my attorney is _____) to fight this ticket as I did not feel it was justified as there was no police officer there to see what had happened. He would have understood the situation and saw me adjust my speed after passing.

I received a _____ on _____ and found out my license was suspended only by contacting my attorney. I did not receive a notice a from the _____ until a week or two after the suspension and the court never did notify me that this would happen. Unfortunately, my attorney's office had told me I could file a bond with the court or wait until it was decided and then pay f I lost. I did not know my license would be suspended. I thought this practice for photo radar was not legal as ruled by the _____ court. I guess they get around it when there is a delinquent account, I did not know this. My attorney was working on all of this for me but this court under _____ ignored my attorney's attempts to get this removed from my record and to reinstate my license. I did pay a bond but the court ignored this and declined to revise the hearing. This judge completely ignored the fact that I hired an attorney and paid the bond and he proceeded as if I hadn't done a thing. After paying the bond, I went right down to get my license reinstated and the _____ told me I had a _____ verdict on my record and _____ against me. I said that can't be as it isn't settled yet and my attorney was appealing the courts decision. This ticket has cost me _____ with attorney's fees of _____

I am a _____ citizen on a _____ income and a good driver. I feel this judge, _____ is not interested in the citizens of this state and the _____ is using this photo radar on _____ as a revenue pool. I understand they built their new court house and city offices using revenue from this practice. One way I know this is that I have friends here from _____. They got a flash. recently. from the same photo radar on _____ avenue in _____ and never got a ticket. They have _____ plates. Evidently, it is the citizens of _____ and _____ paying the courts. I feel this court should be reigned in. It is an insult to me to have to pay a bond as if I were a criminal. I was guilty (in this situation) until I proved myself Innocent, which I had no opportunity to do in this case as the judge would not listen and ignored the facts. _____ is not a lawyer but has the power to ignore those who are and do as he pleases.