

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-138

Complainant: No. 1286510206A

Judge: No. 1286510206B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge.

The complaint is dismissed pursuant to Rule 16(a).

Dated: September 15, 2006.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on September 15, 2006.

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

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COMPLAINT AGAINST A JUDGE

Your name: [redacted] Judge's name: [redacted] Date: 5-16-06

Instructions: Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

As a judge and from reading his profile I do not feel that Judge [redacted] reviewed the case file carefully enough to acknowledge that visitation was to actually begin Wednesday [redacted] two days from receiving on [redacted] As well as the drug screening to begin 24 hours upon receipt on [redacted] [redacted] calls me [redacted] ramping and raving. "you got what you wanted," then saying he was going to waive his rights. (Nothing happen)(He no longer made contact).

[redacted] Convenient for him had [redacted] Legal Assistant, [redacted] call to schedule the start of visitation. Claiming that [redacted] just received his minute entry and judgement [redacted]

Judge [redacted] did not take note to these discrepancies.

Early in the Oral Argument Judge [redacted] shuffling through papers asked why the Officer was not present and wished he was there having mutual feeling the oral argument continued anyway

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I was sought to believe this oral argument was set for the motion for positive drug test and modification of supervisors.

Upon receipt of this motion visitation became a matter of importance to [] and Counsel.

I had no legal assistance at this matter.

Judge [] asked to explain the events of [] (nothing to do with the drug screen):

On [] scheduled to begin visitation arrived at [] with Officer [] of the [] Police Department with judgment in hand. After a moment Officer [] says, to his understanding this was a supervised visitation and not a pickup. I offered to go so [] would be able to go. [] said, "Sure, but you have to sit outside, I don't want you in my house". I answered, "Fine". Officer [] advised both [] and I to get clarification, as it states in his report. Next thing [] leaves with Officer [] [] leave flipping us off, not mentioned in court because the judge did not give me time to elaborate, but it was witnessed by the offer.

As soon as, this was said, Judge [] stopped me and did not allow me to continue.

At were he found me "guilty" of interfering with visitation. I tried to speak, 'But the officer", cut off again by Judge [] saying my comment influenced the officer. I do not know how that can be since Officer [] was not present to give his testimony.

I tried to speak again but Judge [] says its 5:00 o'clock and if I didn't like what happened to object.

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After that comment and attitude I was not understanding what happened; how was the judge able to know what the officer thought or speak to for him.

During the argument when explaining how confused we were after the officer spoke, on the judge gave me a look of ya right.

Not having legal aid I did not know what to do so I began to apologizing.

I had no reason to. I feel I was not given fair say due to: time limit pointed out by judge and without proper witnesses like Officer Hernandez pointed out, also.

With the judge pointing these out how was he able to conclude that I had intentions to interfere?

Without legal aid I feel in all fairness there should be a "retrial" on this matter with proper witnesses and new judge.

Thank you for you time