

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-143

Complainant: No. 1287010470A

Judge: No. 1287010470B

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 Rules 16(a) and 23(a).

Dated: November 2, 2006.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on November 2, 2006.

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

CJC-06-148

COMPLAINT AGAINST A JUDGE

Your name:

[Redacted]

Judge's name:

[Redacted]

Date: 04-12-06

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.

In [Redacted] I received a traffic citation for: 1) no proof of insurance and 2) a violation for my trip permit. I had just sold a vehicle & had the insurance transferred to the one I was driving on that date, but hadn't received my new insurance card yet. I appeared in Court and plead not guilty to both counts on [Redacted]

[Redacted] set a new date for the insurance violation [Redacted] and a civil traffic hearing for [Redacted] for the registration violation.

It should be noted that I provided the copy of my insurance card to Court on [Redacted] and explained to the Judge that I had a policy in force (see A.R.S. 28-4135(D)) however I hadn't received the updated card showing the vehicle changes. On [Redacted] I filed a Motion to continue the hrg as my wife was ill + I couldn't go to Court. I also requested that Court A for the ins. proof be dismissed as I had received the updated insurance proof + filed the original document with the Motion. The Court granted my Motion to continue + reset the matter for [Redacted] but denied my request to dismiss Court A.

When I appeared in Court on [Redacted] the Judge stated he did not have the proof in the file (which couldn't have been true because the Court acknowledged + responded to the Motion such proof was submitted with). The Judge then stated I had to appear again [Redacted] and provide proof of 6 months pre-paid Auto insurance, and refused to accept my valid + correct insurance card as evidence of insurance. I also filed a Motion to provide the insurance proof + request that Court A (Again) be dismissed pursuant to A.R.S. 28-4135(D) and the Court own policy (see Exhibit of Web Page Attached). Judge Denied such Motion + required me to appear again on [Redacted], to

present my Auto insurance bill/premium statement and receipts showing my payments. (See page 2)

(Attach additional sheets as needed)

CJC-06-143

On [redacted], Judge [redacted] entered a plea of guilty on my behalf (without my consent) and fined me \$138.00 for the insurance violation - which should have been dismissed. It is ridiculous and illogical that I should have had to appear on 4 separate occasions for this incident. In the course of such, I witnessed Judge [redacted] applying the rules + fines arbitrarily, according to race + class.

With regard to Court B (the registration violation) I had a copy of the order setting a hrg for [redacted] however, the time was illegible + there was some confusion as to where the hrg would be held since I read that the [redacted] Court would be moving [redacted] I initially went to the new Court location to find that there was no hearing at that location. I then called the Court and spoke to a woman who gave her name as [redacted] I explained to her that the Order was illegible and there was confusion as to where the hrg. was to be held and asked her to check to Court's docket + calendar to verify the hearing. She put me on hold and then returned, telling me there was NOTHING on the docket or calendar on that date [redacted] for my case and that the file notes indicated the matter was completely dispositioned with no further items pending. Later that week, I received a Failure to Appear, A warrant was issued and a Default Judgment Notice against me. I feel this is unjust and the result of incompetence and unethical conduct by the Judge and his staff.

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The issues to be investigated are as follows:

- 1) Failure to Adhere to the Traffic Laws + Sentencing by the Court
- 2) Racial profiling - I believe the Judge harassed me about my insurance because I am .
- 3) Failure by the Court to ethically + competently handle this case by Judicial Conduct Standards
- 4) As a result of the Court's misconduct, my driving privileges have been suspended.
- 5) The Judge refused to dismiss the Court A despite my providing sufficient evidence pursuant to ARS 28-4135, et. seq. and imposed excessive fines to increase city revenues and is an act of prejudice + racial bias.

I would like this matter to be investigated + have attached copies of all documents referenced herein for your convenience + review. This Complaint is being submitted in good faith and out of concern for the well-being + economic/civic development of the community and to protect the community from further abuses of judicial power.

Thank you for your consideration.