

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 06-226

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Complainant: No. 1293900523A

Judge: No. 1293900523B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no evidence of 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.*

## COMPLAINT AGAINST A JUDGE

My name is [ ] my case number is [ ] in Superior Court, [ ] with Judge [ ] presiding.

## NATURE OF CASE:

I am currently [ ] years of age and had a relationship with [ ] [ ] who is [ ] years of age for approximately five plus years. The case arises out of disputes over a residence that I purchased, that we were to live in, however this did not come to fruition. In addition to the partition action for quiet title, were my claims against [ ] based upon fraud, breach of contract, conversion, unjust enrichment, and title to one Tan Lexus that I purchased for my personal use while residing in [ ] and the repayment of a loan on a White Lexus.

## TRIAL AND JURY VERDICT

After 14 months of our motions and pleadings being denied for seemingly inexplicable reasons, the trial commenced on [ ]. The jury returned a guilty verdict on [ ] against [ ] for fraud, breach of contract, and conversion. The jury awarded me [ ] in principal owed on the White Lexus plus pre-judgment interest from the loan date [ ] and stipulated that the Tan Lexus be returned to me (See Jury Verdicts attached). The matter of the house was not placed before the jury because the Judge ordered me to come to an agreement with [ ] for her benefit, on the night of [ ] before all matters were to be placed in the hands of the jury. After being dismissed, the Jury asked to meet with me and they stated very emphatically, that if they had been allowed to rule on the partition action, that also would have been granted to me.

## CANNON 2:

A JUDGE SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL JUDGES ACTIONS.

Judge [ ] in the presence of my council [ ] his assistant [ ] myself, [ ] and her council [ ] in the conference room at [ ] told me in a very threatening manner and in no uncertain terms that, "if I did not come to some agreement on the house, that night, and present that agreement to him prior to the Jury receiving instructions, he would overturn any Jury verdict in my favor". Additionally, he said that "he knew I would appeal this ruling but that it didn't matter to him because he was going to retire in [ ] and I would have to restart this entire procedure". This was approximately 7:30 - 8:00 p.m. on [ ] and I was stunned by the actions of this Officer of the Court. I felt very much threatened and intimidated, and for the

next three to four hours I vacillated between following my heart and my convictions not to agree to any settlement and to allow the Jury to decide all issues and risk the wrath of the Judge and the reality of his threat. In a separate conference room at [redacted] with my attorney [redacted] assuring me that this threat was a very distinct probability and facing the costs of another trial; I agreed to a settlement arrangement on my home.

## CANNON 3

A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY AND DILIGENTLY.

Judge [redacted] disregarded the Jury Verdict and recommendation and allowed [redacted] to retain possession of the Tan Lexus pending an Evidentiary Hearing; we requested a date, to no avail. On [redacted] we formally requested that he set a date, and now, approximately four months after the trial, we do not have a date for this very unnecessary hearing.

1. Judge [redacted] disregarded the Jury Verdict which awarded pre-judgment interest from the date of loan [redacted] and arbitrarily reduced the interest amount from [redacted] to [redacted] to reflect some imaginary interest commencement date of [redacted]
2. Judge [redacted] refused to accept the Final Judgment presented to the court which were drafted pursuant to the Jury Verdict and directive to reflect an Equitable Lien against the White Lexus. We were instructed to modify the judgment to reflect absolutely no lien against that vehicle.
3. On [redacted] we filed an appeal on the issue of prejudgment interest and possession of the Tan Lexus awarded by the Jury.
4. On [redacted] Judge [redacted] issued an Order to the Special Master to List and Sell my home at a price that is \$200,000 to \$300,000 over market and did so with complete disregard for my submitted appraisal by [redacted] [redacted] I then made a request of the Special Master, who by the way is a real estate agent, not a broker, nor an appraiser, that he and the court secure an appraisal for the record, from a company of their choosing, that they could not totally disregard. (See attachments regarding this matter)
5. Our Motion For Summary Judgment was denied, as I have been trying to retrieve my Tan Lexus since [redacted] and our attempts to bring any motion to secure possession or have the vehicle placed in storage until full adjudication, were, and still are being denied by Judge [redacted]

6. Our Motions to Compel Production of documents were denied by Judge
7. Our Motions to Compel Depositions were denied by Judge
8. Our Motions to Compel the mandated statutory responses on a timely basis were denied by Judge  and "Orders Granting Extensions" to the defendant were his response.
9. Our Motion in Opposition of allowing the defendant to change her sworn testimony in her deposition of  was denied; the defendants Motion to Amend was granted in

SUMMATION:

This has been my first real exposure to any judicial system, and I am saddened to think there can exist a pattern and a practice that indicates an extreme bias by any Judicial Officer. The display of partiality from the onset in this case continues to be clearly evident.

I have learned how "Politically Incorrect" this action is assumed to be for the legal community, and therefore I have struggled to compile the information necessary to submit to your office, hopefully it will be received in good faith.