

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 06-308

Complainant: No. 1299410566

Judge: No. 1299410566

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judges. The issue raised is legal in nature and the commission, not being a court, cannot change judicial decisions; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: April 4, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on April 4, 2007.

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

This complaint is against Judge [] & Judge [] of the Justice Courts []

[] It is in regards to the misconduct and mishandling of my case as well as the complete and total neglect for the Arizona Laws, not only once, but twice. Case # []

On [] I came into court with my mother [] and my ex-husband [] to get my security deposit back plus court cost totaling [] from [] I, as well as my mother and ex-husband, were absolutely appalled at the misconduct and mishandling of my case and especially the neglect to follow the Arizona Law to protect those that follow it. The injustice I received was beyond comprehension. I walked out feeling not only raped of my rights by a system that is suppose to protect those that follow the law, but discriminated against because either, a) I'm a young single mom or b) because I'm not of the [] faith. This is all explained in my complaint to Judge [] about Judge [] please refer to item #A, When you read this it will explain the majority of the misconduct, mishandling and neglect I endured the first time around with Judge []

After sending Judge [] my complaint (Item #A) my mother received a call by his secretary to let us know that Judge [] was willing to rehear my case. I was so happy. I felt that finally I would get the justice I deserved. She said I had to file a motion to vacate first, in which I did, please see Item #B. This motion, as you can see, was granted. So a new court date was set for [] please see Item # C.

Upon arriving I came again with all my evidence, but Judge [] didn't take any of it. I was dumbfounded. He talked to [] and told him blatantly that his claim was dismissed because he had no legal right or interest to counter sue. Then Judge [] asks how we could end this and would we all be willing to just drop all charges. He looked at [] and of course he agreed because he had no claim, but then he looked at me and said, "What about you []", I said, no I'm not willing to drop my claim, I would like my security deposit back. He then looked at [] and asked him if he was willing to pay the deposit he took and end all this. This is where [] mentioned the sprinkler heads that were broken in the front yard. Judge [] looked at me and asked about that. I told him the issue I had, but that I had bought the sprinkler heads back in February and had told [] that I would fix them and that I tried to call him several times to have him come over to do a walk through and I would fix them then, so he could see that they were fixed by me, even though I didn't break them, but I would fix them nonetheless because I needed my security deposit back. So Judge [] asked how many others lived there and I told him of the 2 roommates and all their friends that would come over ever night and park on the front lawn. Judge [] asked how much the sprinklers cost, I told him [] He then asked how much was the security deposit and I told him [] but there was court cost and such, that's why the initial claim was for [] And this is where we all became confused, Judge [] then said, ok we're not going to put the court cost in and such, let's take the security deposit of, let's say rounding it off to [] and deduct the cost of the sprinkler heads and round

them off to [] and let's say you give her [] and the other roommates can do their part and fix the sprinkler heads and we can end this, right? Judge [] looks at [] and says can you do that? [] hesitated for a second and then said yes. So Judge [] say's can you do that today? [] say's I don't have my check book with me, and Judge [] says, so you'll send it to her and we can end this? And [] says yes. Then Judge [] looks at me and says is that good? I was again just completely dumbfounded, as to why I couldn't get my court cost and why what I paid for the sprinkler heads was being deducted from what was owed, but I just said ok at least I was getting something back. So we were sort of happy at the outcome, confused but were glad. We felt some justice was done. Judge [] also told [] that since his father was the legal owner of the property, he has to divulge to all the roommates including me of where to reach him. And he then looked at me and said if I don't receive the [] I could not only take him, [] back to court, but his father too.

Now this is where we became not only totally baffled but appalled at the outcome for the second time by the same courts leading us to this complaint. Please see Item # D. I received this in the mail and just broke down crying. Why? Why for the second time around would a Judge so blatantly disregard what was said and agreed upon in court? First I get a judge I'm sorry to say, is no longer fit to sit on the bench and hear cases appropriately, but I get another that doesn't even follow what he had the defendant agree upon. I just don't get it! I have done everything the right way, yet I don't get the justice? Yet the one who has done everything illegally, by using his fathers place, misrepresenting himself as the landlord to extort money for his own purpose while his father is incarcerated. I didn't know that [] had no legal right to do what he did till I came to court the second time. Judge [] said I served the wrong party, but I didn't know till that day. Nonetheless, he took money he had no legal right to do, that's why Judge [] said in court that his counter claim was dismissed but never did he ever say in court that my case was dismissed that's why he had [] agree "in court" to pay me the [] Yet I get this minute entry saying "JUDGEMENT IS TO BE SET ASIDE & DISMISSED AGAINST ALL DEFENDANTS". WHY????? Judgment is dismissed against ALL defendants? So my mother called the courts and spoke with someone, who put her on hold to check the minute entry, and then comes back and says that Judge [] didn't put what was agreed upon in the minute entry (?). My mother was taken back, and asked her why and what can she do about it. The lady said I had to write another letter titled "Request for Clarification", please see Item #E. I mean please, please tell me what in the world am I missing?

Now [] not only hasn't sent the [] but he refuses to give me the address to reach his father to file against him for what his son has done, and the Judge has done nothing again.

My mother has helped a lot of people as well as dealt with legal issues herself, and she has always taught us to make sure you know your rights and follow the law. But what good has it done me? I have seen a lot of injustices done to people, including my mother, yet she still believes in the system and tells me to not be blinded by those few that cause the injustice. Yet here I am, not only once has injustice been done to me but twice now

in the same courts on the same case. Tell me how I am to believe the justice system is still what it should be. It seems like more and more criminals get more justice then the ones that follow the law. I think it's sad, I'm only years old and I don't have faith any more in the system. This has caused so much heart ache financially, emotionally and mentally. I will be looking into hiring an attorney because I truly feel a blatant discrimination in my rights. I am a single mom, so I have to go through legal aid, so getting an attorney takes a bit. But I will not give up on this. My mother taught me to fight for my rights and that is what I will do.

As of today Thursday the 14th of December 2006, I have not only received any money from but I haven't even gotten an answer from Judge from the "Request for Clarification". When my mother called again to the courts and spoke with the clerk, and asked why we wasted our time coming again when nothing was done, she didn't have much to say, so my mother asked for information to file this complaint, and here we are.

In the Preamble for the Code of Judicial Conduct it states; Our legal system is based on the principle that an independent, fair and competent judiciary will interpret and apply the laws that govern us. The role of the judiciary is central to American concepts of justice and the rule of law. Intrinsic to all sections of this code are the precepts that judges, individually and collectively must respect and honor the judicial office as a public trust and strive to enhance and maintain confidence in our legal system. The judge is an arbiter of facts and law for the resolution of disputes and a highly visible symbol of government under the rule of law.

My concept of justice and the rule of laws that govern us have greatly diminished with the unethical way either Judge or Judge handled my case. This complaint is not about the decisions made in my case but the conduct in which they were made. The laws that govern us were a joke in this court house, because no laws were followed. In my eyes it was willful misconduct with failure to perform duties within the Code of Judicial Conduct.

My resolution to this would be that someone of legal stature would write with a court order requesting the address of where his father is incarcerated, so that I can bring the right person to court. And have another judge hear this case based on the fact that I have the right to bring him back to court and not only sue for that amount but damages in the hardship this has caused as well as the amount that we have lost in all this. As I said, falsified documents claiming he was the landlord to collect money that he had no legal claim in. That in it self should've been reason to bring him to court to recover what he took. He implicated himself with this document, so why wasn't I able to collect from him, since he basically impersonated an agent and used his dad's house to collect money illegally by omitting the truth to those he was getting the money from that he had no legal right to do it? Why? To me, that's extortion. To me he should pay back every dime he took from me illegally for damages and monetary relief. But neither judge saw the injustice in what was done to me.

Had my case been handled properly, I would've gotten the justice I deserved. But like I mentioned earlier in this later I felt raped of my judicial rights for a fair hearing both times.

I hope I can get justice as well as a judge that believes in the laws that govern us to hear my case again.



P.S. Item # F are letters I have written to when I realized the game he was playing, as well as copies of receipts for the cost we have incurred.