

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-010

Complainant: No. 1300600448A

Judge: No. 1300600448B

ORDER

The commission reviewed the complaint filed in this matter and found no misconduct on the part of the judge. The issue raised is legal or appellate in nature, and the more appropriate remedy would have been to appeal the judge's decision to a court with proper jurisdiction.

The commission is not an appellate court and cannot change a judge's decisions; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: March 23, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on March 23, 2007.

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

[Redacted]

[Redacted]

[Redacted]

CJC-07-010

Complaint against Judge

1- Judge [Redacted] made his decision for eviction based on "Fraud case" this was not decided by the criminal court yet and he asked the [Redacted] police investigators who was presented in the hearing, and the police investigator told the judge that the case is still pending, so why we were evicted for something which was not decided yet by the responsible criminal court. Also Judge [Redacted] put the eviction on us on [Redacted] and hearing was on the [Redacted], we have kids they have schools and there was nothing proved on us for fraud, so how come the Judge can evict a whole family (Husband, wife and two kids) in less than 24 hours without any proved charges on them !!!

We received a letter from the City [Redacted] prosecutor on [Redacted] saying that "There are No criminal charges on us at all". The letter from the city of [Redacted] is attached to this document. This means we are innocent, we are good people we never done anything wrong in our life and finally we were evicted for no reason, we were thrown by the court and had eviction record on our credit for no reason!!

2- Judge [Redacted] put a judgment of [Redacted] which is the rent for [Redacted] We presented the check to judge [Redacted] on [Redacted], the check was written and signed and we showed it to the judge on the hearing date when he asked us about the rent. Also the lease contract conditions is "no penalty or any late fees if paid by [Redacted] the fees and penalties are on the 4th of the month, so why he put the [Redacted] rent as judgment while the contract said there no late fees or penalties up to the 3rd of the month which was the court date. Also listed on the court official paper which we received on [Redacted] in the "Complaint Forcible/Special Detainer" Section that:

- Item2: Total rent due is [Redacted]
- Item3: [Redacted] is the total amount due.

- So according to the Lease contract and the official paper sent from the court there is nothing past due so why Judge [Redacted] decided to put [Redacted] rent on us as a Judgment.
- Also Judge [Redacted] asked the landlord, do they have anything past due and the landlord told him "No". So how come he put all of that money on us also for no reason.
- Also the hearing and eviction was done by the landlord because of the Fraud, nothing has to do with the rent, so how come Judge [Redacted] charge us for the [Redacted] Rent as a judgment even the landlord did not ask for it!!
- Also from our rental history on the apartments we lived in before and our mortgage record we never ever had any late fees because of any late rent or late mortgage

payments, our attorney at the hearing after judge [] decided asked him "Why you put [] rent judgment on them!!".

So according to the above mentioned points, we want to dismiss the eviction from our credit and get the judgment money back plus the court fees, appeal fees and attorney fees, as we feel there is no reason for an eviction or penalty to be put on us.

Attached with this memorandum a copy of the check presented to Judge [] on the day of hearing, the letter from the previous apartment that shows no late rent payment or fees.

On that day we paid almost [] ([] judgment + [] to stay in the apartment and appeal + attorney fees + appeal fees) again for no reason, no criminal charge, no late payment at all. Please review our case and listen to the trial as we felt that we had unfair trial because we are the weak part "The tenants".

Thanks for your cooperation

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