

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-016

Complainant: No. 1301310376A

Judge: No. 1301310376B

ORDER

The commission reviewed the complaint and concluded that there was no misconduct on the part of the judge. The commission dismissed the complaint by reminding the judge of his obligation to be patient and courteous to litigants.

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.

[REDACTED]

State Bar of Arizona—Complaint Dept.
4201 N. 24th Street, Suite 200
Phoenix, AZ 85016-6288

11 January 2007

CJC-07-016

JAN 18 2007

Dear Sir,

The [REDACTED] "Civil Traffic Hearing Information" sheet states "it is the [REDACTED] Court's mission to provide open access to **fair and timely justice**", however justice was not served on [REDACTED] at 1:00 pm in Courtroom [REDACTED] with Judge [REDACTED] and I wish to express a Complaint regarding his conduct.

My citation issued by Officer [REDACTED] stated "unsafe turning movement", but I protest this citation should never have been issued and when I phoned Officer [REDACTED] supervisor to complain, the Sargeant to whom she reports told me he saw no reason for me to attend driving school. So, her Sargeant confirmed my thinking I'd done nothing wrong in making a u-turn on [REDACTED] on a left turn arrow.

I wish to submit a strong objection to both the decision and the conduct of Judge [REDACTED] who appeared to disregard the facts of my case, allowing Officer [REDACTED] to offer whatever irrelevant statements she chose to make with complete freedom. However, Judge [REDACTED] not only interrupted every statement of my testimony, but he showed complete disregard for the facts.

1. I showed Judge [REDACTED] 3 photographs of the intersection showing there was NO SIGN prohibiting a u-turn---the judge disregarded that evidence.
2. I further explained the 3 photos provided evidence that the street was sufficiently wide (with many lanes) to make a u-turn since I had a left turn signal when I made the turn---the judge disregarded my photos in a very confrontational and dismissive manner, indicating he was not interested in any material evidence.
3. I showed the judge the photograph of the damage to the back door of my car---proof the other driver should have been responsible for seeing my visible white car which had almost completed its turn when she hit me on her right turn on a red light, but the judge stated the photo showing where the damage occurred to my car---was irrelevant!!!! How is it possible the location where my car was damaged is irrelevant? It serves as witness!
4. When I asked Officer [REDACTED] if she remembered asking me to make the decision myself as to whether both parties or neither party would receive a citation, the judge interrupted me and would not allow the Officer to answer, stating my question was irrelevant. Judge [REDACTED] ignored my testimony that Officer [REDACTED] didn't know how to handle the situation so she gave me the choice of whether both or neither would be cited. After offering me that choice, [REDACTED] phoned someone to ask them how to handle the situation, retracting her offer to allow me

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STATE BAR OF ARIZONA
LAWYER REGULATION

to make the decision. When I attempted to ask [] if she ever even looked at where my car was damaged, Judge [] did not allow me to ask [] if she ever looked at where my car was damaged—which would have indicated where my car was when hit by the other car. Judge [] did not allow my questions in court and he categorically ignored all the facts.

5. When I asked the Officer if she remembered I asked her to return my driver's license 3-4 times during the hour and a half that she detained me, when she forgot to return my license to me, then she had to drive to my home to return my license, the Judge insisted anything and everything to do with the officer was irrelevant! I think not.
6. The judge allowed me to ask the officer if she actually looked at my car to see the "point of impact" but Officer [] stated "there was no point of impact because there were no marks on the road to indicate what happened"!!! In other words, [] apparently does not understand that "point of impact" is a term referring to where the car was hit!!! It would appear Judge [] also does not understand the term "point of impact" because he allowed the officer to state "there was no point of impact". I contend, if there was no "point of impact" why do I have to rent a car for three weeks to have my back door replaced?
7. When I tried to submit two letters from BOTH insurance companies to Judge [] verifying the other driver's insurance company has accepted 100% payment for damages to my car, Judge [] stated flatly that any information from insurance companies was totally irrelevant—even if both insurance companies confirmed the 100% liability of the other party!!!
8. It was obvious to me none of the facts of the case were relevant to this judge. He allowed false testimony from the officer regarding where the other car hit my car, when Officer [] stated the collision took place in the crosswalk—which was totally untrue, as evidenced by the photos of the damage to my car—which the judge would not allow, as he had no interest in my evidence.
9. In total exasperation at the seeming lack of justice, I told the judge "since I did NOT break any laws, I think it's sufficient my new car has suffered over \$3000 damage and I'll have to rent a car for three weeks while the back door is replaced---because someone hit me from the rear"---but there was no reasoning with this judge.

I contend Judge [] shamefully disregarded the facts of my case and ruled without considering the evidence. Frankly, I was ashamed when I left Courtroom [] because I believe justice had NOT been served and I would have expected higher standards in [] Arizona. There was nothing fair or reasonable about his decision.

As for "unsafe turning movement", now that I've learned [] is the collision capital of the US, I believe leaving one's driveway might be considered an "unsafe turning movement" but that's no reason to give out citations.