

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-081

Complainant: No. 1306210675A

Judge: No. 1306210675B

ORDER

After carefully reviewing this matter, the commission decided to remind the judge of his obligation to conduct himself in a dignified manner even in non-judicial settings and to avoid improperly using his title as a pro tem judge in letters of recommendation.

The complaint is dismissed with comment pursuant to Rule16(a).

Dated: October 3, 2007.

FOR THE COMMISSION

\g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on October 3, 2007.

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

CJC-07-081

COMPLAINT AGAINST A JUDGE

Your name: Dawn + Jackson Dering Judge's name: Rick C. Tosto Date: 3/22/07

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.

Rick C. Tosto, ESQ is a Pro-tem judge. We have attached a copy of the statement he made for a post divorce decree modification proceeding.

We feel he violated Canon 2 B. Even though Mr. Tosto wrote his letter of character witness on his Law Firm paper, he used his Pro-tem judge title in his character witness letter.

We believe his used his pro-tem judge position for the advancement of the private interests of others.

We believe Mr. Tosto's letter of character witness is biased and not factual for the following reasons...

- 1.) He had no idea of both sides of the story
- 2.) None of his business
- 3.) He points out that Mrs. Feldman was always @ hockey with her son. This is not true. Mrs. Feldman missed 3 tournaments in which Trevor's team won the championship. She was no where to be found and we have pictures to prove that Dawn Dering (step-mother) was there.
- 4.) Mr. Tosto was ejected from one of the championship games for using the "f--- word" 3 xs @ the referee + in front of 10 yr. old children! Alltel has records of this incident. Please see attached info.

(Attach additional sheets as needed)

We have highlighted all of the Canons we believe he violated.

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Facts: ① Rick is personal friends with the Feldman's

② Rick has no background in Family Law

③ Rick has no background in Child Psychology.

④ Rick doesn't know both sides of the story.

⑤ Rick was ejected from a hockey game for swearing @ the referee in front of children!!!

(Attach additional sheets as needed)