

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-107

Complainant:	No. 1308410054A
Judge:	No. 1308410054B

ORDER

The Commission on Judicial Conduct reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. Although his decision was controversial and widely reported by the press, there is no evidence that the judge violated the Code of Judicial Conduct. In the absence of bad faith or an abuse of judicial discretion, neither of which was present in this instance, the commission is prohibited from taking disciplinary action against judges for their decisions. Accordingly, the complaint is dismissed pursuant to Rule 23(a).

Dated: September 7, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on September 7, 2007.

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

CJC-07-107

COMPLAINT AGAINST A JUDGE

Your name: [] Judge's name: [] Date: 4/16/07

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.

On [] a car driven by a drunk driver, an illegal with false papers, drove through a red light and struck a car in which [] was a passenger. He was thrown out of the car and was killed instantly.

The illegal driver was taken ~~to~~ by the police. She appeared before Commissioner [] in [] justice court who set bond on her of []. This is directly against Prop 100 that was passed into law in Nov, 2006, Illegals involved in serious crime cannot get Bond. Then the case went before a second commissioner, [], in [] justice court. This commissioner also ignored the law and lowered her bond to []. These commissioners blamed the week-end for their decisions.

The [] were devastated because of their son's death and the drunk driver was under bond.

On [] their lawyers petitioned the court to rescind the bond or raise it higher. They appeared before Judge [] who didn't want to change the decisions of the commissioners. He finally rescinded the bond. The family had [] days of worry that the drunk driver would pay bond and leave the country.

Besides the agony of the death of their son, the [] family has had to fight these judges who chose to ignore the law - Prop 200 - that states that illegals involved in a serious crime cannot get Bond set.

(Attach additional sheets as needed)