

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-128

Complainant: No. 1310200234A

Judge: No. 1310200234B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. A justice of the peace is permitted to challenge an opponent who does not meet election requirements, although the better practice would be to delegate the matter to a campaign committee.

The complaint is dismissed pursuant to Rules 16(a) and 23(a).

Dated: November 19, 2007.

FOR THE COMMISSION

g\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on November 19, 2007.

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

Date: February 16, 2007

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, AZ 85007

MAY 04 2007

CJC-07-128

RE: [REDACTED]

Commission Members,

I am finding it difficult to make this contact, as I have tried to keep my comments "safe" and within the laws. However, I cannot keep silent since Judge [REDACTED] remains on the bench, despite his unethical and criminal behavior, both of which I have experienced first hand.

I entered the race for Justice of the Peace on [REDACTED] (Exhibit "A"), after gathering [REDACTED] signatures to get on the ballot (373 were required). From that point on, my life became a living hell, thanks to Judge [REDACTED] intimidating behaviors. Judge [REDACTED] utilized inappropriate political strategies by threatening, intimidating and harassing me to keep his seat on the bench, even using what I consider to be criminal behavior.

On [REDACTED] Judge [REDACTED] called my business and obtained my personal cell phone number from my husband. He then called me when I was working to tell me to withdraw from the campaign. He stated that I had an insufficient number of valid signatures. Later that day, I received an e-mail from Judge [REDACTED] which stated; "I want to make it clear that the petition challenge is a civil lawsuit and a very serious matter; one that I do not take lightly." (Exhibit "B") On [REDACTED] Judge [REDACTED] attorney called me to ask if I had an attorney and if I was going to withdraw. I told him no, that I had worked hard going door to door to get the [REDACTED] signatures.

On [REDACTED] as I was leaving for work, I noticed small posters around my home that said, "Vote for Judge [REDACTED] Because I felt so intimidated, I went to the [REDACTED] County Recorder / Elections Department and withdrew from the election (Exhibit "C"). On [REDACTED] [REDACTED] I was ordered to appear in Superior Court and accused of forging signatures on my petitions by a [REDACTED] One of the signatures in question was that of [REDACTED] [REDACTED] Her phone numbers are [REDACTED]

I was able to contact [REDACTED] and she informed me that Judge [REDACTED] had visited her already. She identified the signature on the Partison Nomination Petition as [REDACTED] an acquaintance of hers. She did not understand why [REDACTED] had signed her signature on the petition, but informed Judge [REDACTED] that I was not the one who had forged the name. [REDACTED] stated that Judge [REDACTED] tried to coach her to testify in

court that I had forged the signature, but when she appeared in court on the [] she told the truth as she had told it to me. (I even tried to contact [] but she wouldn't answer the door).

Thanks to [] testimony and the evidence provided, Judge [] ruled against the Plaintiff, stating that although there were an insufficient number of verified signatures, there was not any evidence of fraud or forgery. His request that I be barred from running for office again for at least 5 years was denied. (Exhibit "D")

The plaintiff, [] did not attend the hearing, nor have I ever met the gentleman. I believe he is a personal friend of Judge [] and was used simply to keep the Judge's name out of the public record. Even though I "voluntarily" withdrew my petition for office on [] Judge [] pursued charges against me, knowing full well that I did nothing illegal. I cannot understand how Judge [] can continue to abuse the justice system by using frivolous lawsuits to harass those who would run against him and trying to damage their reputations. He even perjured himself in court in an attempt to stop me from running against him in the future. All this was done to further his own career.

Judge [] has had his own share of questionable activities. On [] the [] reported that [] had pled no contest to charges of disorderly conduct and criminal damages for vandalizing a car in an article entitled [] (Exhibit "E"). There have also been accusations of providing false information to a police officer (Exhibit "F"). [] Justice Court came under special investigation for alleged theft of public monies during [] The result of this investigation was to place responsibility for the control of public monies into the hands of the JP, and that he is "ultimately responsible for establishing and maintaining appropriate internal controls for properly administering the court." (Exhibit "G") Judge [] failed in his administrative responsibilities.

Judge [] was re-elected this year, because no one ran against him. After looking at Judge [] history and his conduct, it is frightening to know that my District, [] is again left with a corrupted justice system.

I hope that this complaint is accepted with the seriousness and scrutiny that this matter deserves and I appreciate your time and cooperation.

Sincerely,

[]