

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 07-142

Complainant: No. 1108400364A

Judge: No. 1108400364B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical 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: June 6, 2007.

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on June 6, 2007.

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



MAY 18 2007

May 17, 2007

Commission on Judicial Conduct
1501 W. Washington, Suite 229
Phoenix, AZ 85007

CJC-07-142

This is a complaint against Judge [redacted] Justice Court, [redacted]

On [redacted], I went to this court to file a small claims case against a previous employer who owed me for wages and 401K deposits. [redacted] "manager" REFUSED to allow me to do so. She claimed that as per a letter from Judge [redacted] Judge [redacted] has to approve "all claims in all courts". I informed [redacted] that I was not aware of any such letter. [redacted] then suggested that I contact [redacted] a clerical supervisor at [redacted] Superior Court. I informed her that I had already done so and [redacted] failed to respond. [redacted] then called me a foul name and refused to file my claim.

A few weeks later, on [redacted] I received a copy of a letter from [redacted] dated [redacted]. The letter is allegedly addressed to me, but I had never received it. I was provided with excerpt of the letter from court employees but I was not aware that the letter was addressed to me and copied to a variety of individuals and judges, including Judge [redacted] in front of whom I had an active case at the time. The letter contains lies and is libelous. [redacted] knew that her letter was inappropriate and that is why she failed to send it to me when she wrote it. The letter is not becoming of a [redacted]. It should never have been sent, and when it was sent, [redacted] should have removed [redacted] from the active case (which she did not do) and instructed all court employees and other judges to discard it and not consider it.

I never met [redacted] and am not sure why she would so maliciously interfere with my civil rights and I am not sure why justice court judges would idiotically follow hints in the libelous letter. Judge [redacted] was new to her job of [redacted] in [redacted]. She felt powerful in trampling over the rights of a vulnerable pro se litigant. In reality, she is out of control. A truly powerful person helps those who are vulnerable.

In the letter, [redacted] does make "hints" that Judge [redacted] issued his own directive that he should approve all claims and then she claims that her letter will be sent to all "justice courts" leading one to believe that all claims extends to all courts. Anyone with even a high school degree knows that a trial court judge cannot issue a directive for himself applying to all courts. [redacted] knew that and Judge [redacted] should have known that. Additionally, anyone knows that in this country, if anyone pays property taxes (such as I do), they are entitled to file a claim. A judge cannot prohibit one citizen from filing claims. Our county and our legal system are bigger than a measly judge.

Marbury v. Madison, 5 U.S. 137 (1803) provides: "The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. The government of the United States has been emphatically termed a

[Redacted]

government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right. . ."

On [Redacted] I resubmitted my claim, via mail, to [Redacted] "manager" at [Redacted] justice court. [Redacted] waited until [Redacted] to cash the \$31 check but I have yet to receive the claim. The statute of limitations is expiring on my claim and I have expended countless hours, aggravation and my own money to try to clarify this issue. Judge [Redacted] is responsible for her staff and their lack of due diligence and discriminatory behavior.

Code of Judicial Conduct Cannon 3 provides: "A judge shall require staff, court officials and others subject to the judge's direction and control to observe the standards of fidelity and diligence that apply to the judge and to refrain from manifesting bias or prejudice in the performance of their official duties."

My property taxes should be reduced due to my inability to file claims. I have asked [Redacted] to follow up on this matter and she has ignored my request. Additionally, [Redacted] justice court representatives are not entitled to keep my \$31 when they have failed to timely submit a filed claim to me. That would be unjust enrichment.

Additionally, I applied for and was interviewed FOUR times for a job at [Redacted] [Redacted] As per [Redacted] I was denied the job due to the defamatory letter from Judge [Redacted] The harm just keeps increasing. Enough is enough. Judge [Redacted] knows that the actions of her employee [Redacted] "manager" is inappropriate.

[Redacted]

Copy: Judge [Redacted]