

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 07-223

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Complainant: No. 1317110492A

Judge: No. 1317110492B

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**ORDER**

The commission reviewed the complaint filed in this matter as well as the recording of the hearing and found no misconduct on the part of the judge.

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

Dated: November 16, 2007.

FOR THE COMMISSION

lg\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on November 16, 2007.

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

On [redacted] I was pulled over by a Deputy with badge number [redacted] of the [redacted] Sheriff Department. I was driving a [redacted] motor home with my lawfully issued dealer plate, number [redacted]. I was driving below the speed limit and was abiding by all traffic laws. At the time I first saw the deputy there was a down hill grade and guard rails along the side of the road. I turned on my turn signal and pulled over as soon as the guard rails came to an end. The deputy came to the driver's door, and was mad! He asked why didn't I pull over and told me to come to the back of the vehicle. His voice was forceful when he asked me why I did not pull over. I said I did not see him and started to apologize to him. He said he was at the weigh station, and had been chasing me. (Note: The police report says that he was at [redacted] and we stopped after the guardrails at [redacted].) He said I made my problems worse by not pulling over. I asked him why he did not use his siren, and he said at highway speeds I would not have heard it. I then asked him why he did not pull up along side of me to get my attention. When I asked the deputy why he pulled me over he got madder and said that he did not have to have any reason to pull me over because I was a commercial vehicle. He said it was my responsibility to pull over when he turns his lights on. He asked for my driver's license, insurance and registration. I went to the back of the RV to get the insurance and dealer plate registration as they are taped to the back of the dealer plate. I unbolted the two quarter inch nuts holding the license plate in place. (Note: the police report says he pulled me over for a loose license plate.) I gave him the current registration and told him the new insurance must have come off but, here was the old one. Shortly after the stop two more deputies arrived and he said this is what happens when you don't pull over. He eventually asked me where I was going. I said I was going up to the [redacted] because I had a prospective purchaser for the motor home. While the original deputy spoke to my wife I started taking pictures without the other deputies knowing by holding the camera to my side. As I approached the deputy at the right side of my R.V. he pointed and screamed at me to get back (see picture) so I stepped back. The original deputy came back and claimed that I was lying. My wife told me later that she explained to him that we were on a business trip. The original deputy claimed that I was using the vehicle for pleasure. He wanted proof that I owned the RV and that if I could not prove it he would seize it. I said that I didn't have to prove it, that I knew the law and he was wrong. That if he thinks I was wrong then go ahead and arrest me. He said that pursuant to A.R.S. section 28-4532 (B) that it was unlawful for me to drive the vehicle with a dealer plate on it for pleasure and said that he would have to seize the plate. I tried to point out to him that he was incorrect again but he insisted. Rather than have my vehicle seized, as he threatened, and go to jail I did not argue further. He came back to the vehicle and seized the dealer plate. He asked if somebody could fax a copy of the title. I told him I could have somebody do that. He said that he was going to go write me a bunch of tickets. At that time he ran the VIN on it again and it apparently confirmed my ownership. While he was busy doing all of that I was told to go inside the RV so I went in side and made two phone calls. The 1<sup>st</sup> to a friend and left him a message on his cell giving him the time, and where I was. I told him if he did not hear back from me in one hour I would be in jail in [redacted]. The second call was to my shop letting them know what to do if I did not call back within one hour. Then Deputy [redacted] ask nicely if he could search the R.V. I said only if can watch because I did not trust them and I did not want them throwing drugs down and saying look what I found. He

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said he would not do that. I said after what they have already done I didn't trust any of them. They did not search the RV. The original deputy came back with my ticket and told me to go up to the next exit, turn around and go to the next weigh station and get a temporary plate. I said I was low on gas and could I stop at the \_\_\_\_\_ and get gas. He said no, go straight to the weigh station. I said I need to take a picture. I took a picture of the deputy's car and the RV in the background. As I was leaving the three deputies were laughing. I went straight to the weigh station got the temporary plate. (Note: I would not have been able to get the temporary plate if the vehicle was not in my name and if I did not have current insurance.)

