

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-133

Complainant: No. 1297110489A

Judge: No. 1297110489B

ORDER

The commission reviewed the complaint filed in this matter as well as the recording of the hearing and found no ethical misconduct on the part of the judge; therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: September 10, 2008.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on September 10, 2008.

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

MAY 28 2008

CJC-08-133

State of Arizona
Commission on Judicial Conduct
1502 W. Washington St #229
Phoenix AZ 85007

Hearing on Complaint for Injunction Against Harassment

Dear Sirs:

Only the most egregious misconduct could prompt this complaint. Sitting as the hearing Judge, the Respondent not only ignored the Constitutional presumption of innocence to any criminal charge, but expressly used the criminal charge by a law enforcement agency to rule against the Defendant.

Comparatively, the Judge's other Constitutional violations were minor: he simply made an acid comment when the recording of the 911 call, which recorded the entire transaction, was offered; he never even ruled on admitting it into evidence. Further, he afforded no right to cross-examine the Plaintiff after she testified. Had the learned Judge even read the transcript of the 911 call, he would have found that the reason Defendant went out of his house (the other principal determinant of the Judge's ruling) was to hand his portable phone to the Plaintiff so that she could talk to the 911 operator. As the trier of fact, he is free to choose what evidence he cares to consider, but the record belongs to the parties.

So it was acceptable within the sound discretion of the trial court that he began with open bias, which quickly became hostility, toward Defendant; that he ignored the hard evidence in favor of the lies told by Plaintiff; and that he made gratuitous, scurrilous personal and professional remarks directed against Defendant before entering judgment. But when he questions my professionalism, as a Disabled Veteran I doubt his patriotism. If he cannot or will not apply the principles of our system of courts and jurisprudence, then he should not be wearing a black robe in the U.S.A.

If you wish to pursue this complaint, I am preparing the transcript of proceedings.