

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 08-135

Complainant: No. 1335510025A

Judge: No. 1335510025B

ORDER

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The complainant disagrees with the judge's rulings and interpretation of the law. The appropriate remedy is through an appeal.

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

Dated: July 10, 2008.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

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

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

RE: Complaint against Judge

Introduction

I met Plaintiff and later After about four months we all started living together. Five years later the relationship began deteriorating until Plaintiff wanted to wash her dogs in the kitchen sink, which I thought was unsanitary. We got into a heated argument with some pushing and shoving on both sides and one of her children called the police. Plaintiff filed a criminal and civil suit against me claiming damages from the altercation

Complaints

Judge awarded Plaintiff her attorney's fees (Exhibit A). The Law does not allow this in a tort case.

Judge appointed a Special Master to study bank statements L.L.C. is an uninvolved third party in this lawsuit and therefore cannot be ordered or compelled to do anything by this Judge. (Exhibit B).

Both parties have an Order of Protection in place. The deed to the residence is in the name of a single man. Plaintiff admits in her deposition that she has not made any financial contributions to Defendant's residence. Despite these facts Judge ruled contrary to the two previous court orders and allowed Plaintiff to come to Defendant's house with two appraisers to appraise this house that Plaintiff does not own. They arrived with no court order in hand and when it was presented the order was not signed (Exhibit C). This is an arbitrary and capricious decision and contrary to common sense and previous court orders of protection.

Plaintiff is suing me for civil assault and medical damages. In her deposition she contends that I hit her on the head and that she fell and became unconscious. Because of these events, according to Plaintiff, she suffered several injuries. In the police report Plaintiff does not mention being hit nor falling unconscious, neither do her children mention this in the police report (Exhibit D).

In her deposition Plaintiff links an eye problem of retinal detachment, to being hit by me. Plaintiff acknowledges in her deposition that it is crucial to seek medical help as soon as possible in case of retinal detachment. Four days after the incident she contacted an attorney and one day later seeks medical help. The eye report of is negative. (Exhibit E).

In order to try to convince the judge about the severity of the eye problems Plaintiff submitted several medical reports related to her eye with dates of service prior to Four days after the incident Plaintiff has a CT Brain scan done The report is negative. The letter from is self-explanatory. (Exhibit G). The report dated ten days after the fact shows preexisting medical conditions.

The report from s dated one month after the fact shows preexisting medical conditions. The report from dated one month after the fact shows pre-existing medical conditions (Exhibit H).

The facts of this case do not seem to support the Plaintiff's contention of damages related to the incident which occurred Neither do they support the decision that the Court has set the superseadeas bond at \$7,641.00 which the Defendant is suppose to post with the Clerk of the Court. The ruling which is being appealed by Defendant is for him to pay all the attorney's fees for the Plaintiff.

Question to the Commission on Judicial Conduct

Why was this case is not dismissed immediately based on the facts?

The Judge does not appear to be basing her judgements on the facts presented. This gives the appearance of a preexisting bias or lack of competency.

Sincerely