

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-165

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Complainant: No. 1255610465A

Judge: No. 1255610465B

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**ORDER**

The commission reviewed the complaint filed in this matter, as well as the recordings of the hearing, and found no ethical misconduct on the part of the judge. The question of whether or not the judge had a valid basis for ordering a show cause hearing for contempt involves a legal issue that falls outside of the commission's jurisdiction.

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

Dated: December 11, 2008.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on December 11, 2008.

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

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

FOR OFFICE USE ONLY

**CJC-08-165**

**COMPLAINT AGAINST A JUDGE**

Date: 6-24-08

**Instructions:** Describe in your own words what the judge did that you believe constitutes misconduct. Please provide all of the important names, dates, times and places related to your complaint. You can use this form or plain paper of the same size to explain your complaint, and you may attach additional pages. Do not write on the back of any page. You may attach copies of any documents you believe will help us understand your complaint.

JUDGE ISSUED AN ORDER TO SHOW CAUSE ON A VICTIM WHO WAS NEVER SERVED WITH A SUBPOENA. IN FACT, DURING THE PERIOD OF TIME SERVICE WAS ATTEMPTED THE VICTIM WAS OUT OF TOWN. JUDGE ISSUED AN ORDER TO SHOW CAUSE WITH NO VALID OR LEGITIMATE LEGAL REASON. THERE CLEARLY WAS NEVER A VIOLATION OF A COURT ORDER AS THE VICTIM WAS NEVER SERVED PRIOR TO THE SCHEDULED TRIAL DATE. THE VICTIM THEN HAD TO RETAIN AN ATTORNEY, IN THIS CASE MYSELF, TO DEFEND HERSELF AGAINST A TOTALLY BASELESS CHARGE BY THE COURT. JUDGE THEN REFUSED TO HOLD A HEARING ON THE MATTER BUT RATHER HELD THE VICTIM IN COURT UNTIL SHE WAS SERVED. THIS IS A CLEAR ABUSE OF POWER. I HAVE ATTACHED UNOFFICIAL TRANSCRIPTS FROM BOTH HEARINGS, ALONG WITH THE CDs FOR YOUR REVIEW. I AM PROVIDING AN AFFIDAVIT FROM MY CLIENT, AND OTHERS, THAT SHE WAS OUT OF TOWN WHEN SERVICE WAS ATTEMPTED. MY CLIENT DID NOT, AT ALL, FIT THE DESCRIPTION OF THE PERSON PEERING OUT THE WINDOW.

(Attach additional sheets as needed)