

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-210

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Complainant: No. 1342010367A

Judge: No. 1342010367B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The commission cannot review or change a judge's decisions regarding the timeliness of a lawsuit or the statute of limitations. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: September 24, 2008.

FOR THE COMMISSION

    \s\ Keith Stott      
Executive Director

Copies of this order were mailed to the complainant and the judge on September 24, 2008.

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

AUG 18 2008

INQUIRY CONCERNING A JUDGE **CJC -08-210**  
COMMISSION ON JUDICIAL CONDUCT

The Honorable \_\_\_\_\_ was the presiding Judge in  
my re-filed Complaint against \_\_\_\_\_

What I wish to achieve by bringing this matter to the  
Commission's attention is answers to my questions as outlined  
in my attached letter to \_\_\_\_\_ which was returned to  
me for the reasons stated by \_\_\_\_\_ See next  
page. The reason I did not file the letter with the clerk of the  
court was because it was simply a letter and not a court brief.

I simply wish to know why I was not allowed access to the  
courts to pursue a legitimate claim. The decisions of Judge  
\_\_\_\_\_ are not only baffling to me but also to family, friends  
and Lawyers alike.

Your help in this matter will be greatly appreciated.  
THANK YOU !

CJC -08-210

The Honorable

I am requesting Clarification on a couple of issues as follows:

The Honorable

dismissed my case against Ruling that,  
" Plaintiff's cause of action for breach of contract and legal malpractice does not arise until Plaintiff suffers determinal damage. Assuming a breach of contract and/or legal malpractice and Plaintiff's conviction is overturned, Plaintiff would suffer one type or quality of damage. If Plaintiff's conviction is not overturned, Plaintiff suffer another type or quality of damage. Although Plaintiff has been damaged, ( assuming duty, breach of duty and causation of damage ), the type and quality of such damages can not be determined until Plaintiff's criminal case is concluded through his initial Rule 32 proceeding." See attached CASE DISMISSED.

the District Court denied my  
Petition, thus concluding my underlying case.

Shortly thereafter, I re-filed my original Complaint against following the Ruling of Judge

Your Honor granted Defendant's  
Motion to Dismiss, Ruling that, " The Statute of limitations for breach of contract is six years. The complaint was not filed within six years of Plaintiff's sentencing." See attached RULING.

I am quite sure you can appreciate my concerns and my questioning in this matter.

The Honorable                    made a ruling that tolled the Statute of Limitations on Breach of Contract. Following his ruling, I could not have re-filed my complaint any sooner.

Your Honor's ruling basically concluded that I was barred from ever pursuing action in any court of law, Except appellate court. That your Court Clerk managed to do by mailing your correspondence and your decision to the wrong address. See attached PLAINTIFF'S NOTICE OF CHANGE OF ADDRESS, Filed:                    Then see the address on your RULING dated                    and your MINUTE ENTRIES dated

See attached.

Questions

Did Judge                    have the proper authority to toll the Statute of Limitations?

What was Your Honor's specific reason or intention to override Judge                    's Ruling?

Should the Clerk of the Court be held responsible for his mistakes or should the plaintiff suffer the damages?

Conclusion

Since I was not allowed to seek relief in a Court of Law, I delivered to THE STATE BAR OF ARIZONA, my Inquiry Concerning A Lawyer which shows proof of Breach of Contract and legal malpractice along with other pertinent court filings in this most unusual case.

THANK YOU for your clarifications in this matter.