

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 08-215

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Complainant: No. 1342810752A

Judges: No. 1342810752B

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**ORDER**

The commission reviewed the complaint filed in this matter and determined that the neither judge knowingly violated the Code of Judicial Conduct. Accordingly, the commission voted to dismiss the complaint pursuant to Rules 16(a) and 23 and issue a private comment to each judge.

Dated: March 12, 2009.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on March 12, 2009.

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

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August 25<sup>th</sup>, 2008

Dear Madam/Sir,

I am writing this letter as I have a lot of concerns with regard to the way our Justice system is being handled in [redacted] I am currently on an order of Protection and have been on that order since [redacted] The Defendants name is [redacted] and is a business owner in [redacted] took out [redacted], the current [redacted] has violated the order of protection on at least 4 occasions. The County Attorney is unable to prosecute the Defendant due to the recall which has caused a conflict. The cases have been handled by [redacted] (an outside Attorney) which is located about 30 miles from [redacted]

When the Defendant violates the order, I have contacted the [redacted] County Sheriffs department. One particular Officer has been the arresting officer on most of these violations. [redacted] The Officer has arrested the Defendant for the Violation. The Officer has expressed concern as well, because each time he arrests the Defendant, the Defendant is released within an hour of the arrest. The Judge in these matters is a friend of the Defendant. The Officer told me that he had not even finished the booking paperwork on one occasion and the Defendant was already seen by the Judge and released. The Judge is [redacted] All the Defendant has to do is get arrested, contact his lawyer who then contacts the Judge [redacted] she see's the Defendant within minutes and releases him. I am never notified of the initial appearance, or the fact that the Defendant has been released. On one of the Violations a different Judge was on duty that day. Judge [redacted] he ordered the Defendant to post bail (\$15 000.00), before he would release him. The Defendant posted bail and was released. While still on that bail, the defendant violated the order again. Judge [redacted] was on duty that day and released the defendant again, regardless of the fact that the Defendant was on bail already. I was not notified of the initial appearance, nor was I contacted and told the Defendant was released. The Defendant was [redacted]

arrested at 12:56 pm and was out by 1:30pm. Judge \_\_\_\_\_ was asked to recuse herself from these cases when they went to trial, which she did. However she still came to court and sat in the court room taking notes. When the other Judge \_\_\_\_\_ took a 10 minute recess to make a determination of Judgement, Judge \_\_\_\_\_ got up and went to Chambers and obviously talked to Judge \_\_\_\_\_. When Judge \_\_\_\_\_ came back out, his demeanor had changed. He seemed angry, and talked about the Defendant being a "prudent" person, who would not have violated the order. He also threw out the Officer's testimony as he said the Officer never identified the Defendant correctly. Four witnesses before the Officer identified the Defendant. It is my belief, that \_\_\_\_\_ talked to Judge \_\_\_\_\_ during the recess, it is also the belief of the Prosecutor, the Victims advocate and the Officer. The Defendant has been found not guilty of all the violations, and they are all taken to trial. We have one more pending violation that the Prosecutor \_\_\_\_\_ says she is reluctant to persue as she has seen too many unethical behaviors happening in the \_\_\_\_\_ Court, and we can never get a fair trial.

I went to Judge \_\_\_\_\_ a day after the Defendant was arrested and released, to ask for an Order of Protection on the Defendants girlfriend as she and the Defendant were following me around taking pictures of me. Judge \_\_\_\_\_ denied my request and told me to wait until the following day and ask another Judge.

Basically in a nutshell this is what I believe is happening:

- 1) Defendant violates order, Judge \_\_\_\_\_ releases Defendant within an hour of his arrest.
- 2) Judge \_\_\_\_\_ sits in on trials when she has been asked to recluse herself and then talks to the Judge hearing the trial and he in turn finds the Defendant not guilty.
- 3) We cannot get a fair trial with this behavior going on. Judge \_\_\_\_\_ recluses herself from these trials, but yet shows up at all the trials, she should even be seeing the repeat Defendant, when he is arrested, she should call another Judge in.
- 4) \_\_\_\_\_ will release the Defendant, but not help me with an OP, makes me wait until the following day when another Judge is available, she should have done the same thing with the Defendant. She is bias, unethical and many people in this small town are shaking their heads in dis-belief at this conduct. This Judge usually see's all other defendants within 24 hours of their arrest, but yet \_\_\_\_\_ gets seen within an hour of his arrests.

I have contacted Victims rights and an investigation is underway. They advised me to contact you about this problem with Judge \_\_\_\_\_

Prosecutor in this case and in prior cases is:

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Bottom line, as long as this unethical behavior continues in Court, I will continue to be stalked, harassed, contacted and maybe even killed by the Defendant before anyone hears my plea to do something.