

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-013

Complainant: No. 1104410087A

Judge: No. 1104410087B

ORDER

The commission reviewed the complaint filed in this matter, and found no evidence of ethical misconduct on the part of the judge. The issue of attorney's fees involves a legal question outside the jurisdiction of the commission, and the more appropriate remedy would have been to appeal the judge's ruling to a higher court. The commission is not a court and cannot change a judge's decision.

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

Dated: April 21, 2009.

FOR THE COMMISSION

\s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on April 21, 2009.

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 09-013

COMPLAINT AGAINST A JUDGE

Your name: _____

Judge's name: _____

Date: 1/17/09

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.

DESPITE EXPRESS CASE LAW TO THE CONTRARY, JUDGE ROUTINELY AND ARBITRARILY REDUCES ATTORNEY FEES BY 50%. (AN EXAMPLE IS FOUND ON THE ATTACHED JUDGMENT.) WE HAVE BROUGHT THIS ERROR TO HIS ATTENTION IN THE PAST AND HAVE REQUESTED ORAL ARGUMENT IN AN ATTEMPT TO FULLY PROTECT OUR CLIENTS' INTERESTS AND IN AN ATTEMPT TO AVOID THE PROBLEM BEING REPEATED EACH TIME. (AN EXAMPLE OF SUCH A MOTION FOR NEW TRIAL, COUPLED WITH A REQUEST FOR ORAL ARGUMENT IS ATTACHED.) WE HAVE NEVER BEEN ALLOWED TO APPEAR BEFORE THE COURT AS DUE PROCESS REQUIRES AND OUR ATTEMPTS TO CORRECT THE PROBLEM SHORT OF APPEALS HAVE ALL BEEN SUMMARILY DENIED. (AN EXAMPLE OF THE SUMMARY DENIALS IS ATTACHED HERETO.) EACH OF THE RECENT INCIDENTS HAVE BEEN IN DEFAULT SITUATIONS, CREATING THE APPEARANCE THAT THE COURT IS NOT A NEUTRAL ARBITRATOR AS WELL WE ALSO BELIEVE THE COURT WILL NOT GRANT ORAL ARGUMENT AS IT DOES NOT HAVE ANY BASIS FOR ITS ARBITRARY AND CAPRICIOUS FEE REDUCTIONS IN VIOLATION OF EXPRESS CASE LAW. FOR MANY YEARS WE DIDN'T EXPERIENCE THE SAME PROBLEMS WE ARE NOW EXPERIENCING WITH THIS COURT. WE ARE NOT SURE WHY WE HAVE HAD THESE PROBLEMS OVER THE PAST YEAR.

THANK YOU FOR YOUR CONSIDERATION.

1/17/09

(Attach additional sheets as needed)