

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 09-018

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Complainant: No. 1354100316A

Judge: No. 1354100316B

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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. In a civil traffic case, the standard of proof is by a preponderance of the evidence. A judge's determination of responsibility is a legal question outside the commission's jurisdiction.

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

Dated: February 19, 2009.

FOR THE COMMISSION

\s\ Keith Stott  
Executive Director

Copies of this order were mailed to the complainant and the judge on February 19, 2009.

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

Jan. 23, 2009

The Honorable  
Division II

Judge :

Is it wrong to do the right thing? Apparently Justice of the Peace in Arizona, thinks so. He wrongfully convicted me of a red light violation without any sensible proof.


My witness and I swore to tell the truth. Justice of the Peace belittled our oath. He disregarded our sincerity of faith and our integrity. He must think he's omniscient. He denied our mental competence. Do you have to be special born to understand the cycle of traffic lights? We humans are capable of learning much more complicated things than traffic lights. For Judge to say that one cannot define the traffic light cycle as precisely as a patrolman because *that is the patrolman's job*, am I obliged to concede that I don't know? The arrow was green when we entered the intersection. That's it!

Judge stated, "I believe both of you." But if he believed us and he believed the patrolman, who did he not believe? Coherency dictates that there's only one truth. He should have recognized the balance of skepticism. Am I not presumed innocent until proven guilty beyond a shadow of a doubt? What purpose did the draconian punishment serve? In his pretense to regulate my life, his lack of prescience has been injurious to my well being.

Judge does not possess the higher level of practical wisdom, nor the intellectual core that is needed for this important position. His loyalty is to political imperatives and not to justice. Does the message from the governor to crack down on traffic violations apply to guilty and innocent? It's not unrealistic to believe that there is a symbiotic relationship between the court and the highway patrol. Nor is it unrealistic to believe that

there may be a pattern of cases such as mine that are deemed not worth the court's time and that are decided on any principle acceptable to the judge. This is altogether wrong.

Appeal? Nonsense! If this is an example of how the process works, what chance would I have had?

Sincerely. 

Cc: Justice of the Peace  
Commission on Judicial Conduct