

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-093

Complainant: No. 1360310560A

Judge: No. 1360310560B

ORDER

The commission reviewed the complaint filed in this matter and determined that the judge did not intentionally violate the ethical rule that requires a judge to rule promptly. That being said, the commission voted to issue a private comment reminding the judge of his obligation to rule promptly on all matters. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: October 7, 2009.

FOR THE COMMISSION

\s\ J. William Brammer, Jr.

Commission Chair

Copies of this order were mailed to the complainant and the judge on October 7, 2009.

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

STATEMENT OF FACTS

Your Name: _____

Judges' Name: _____

Date: 4-4-09

PLAINTIFF ALLEGES THAT HONORABLE JUDGE _____

HAS FAILED TO DISPOSE OF HIS RULINGS IN A TIMELY MANNER,

POINTS OF AUTHORITIES

1. ON THE 25TH DAY OF SEPTEMBER, ²⁰⁰⁸ A MOTION FILED BY PLAINTIFF TO TAKE DEPOSITIONS OF NON-PARTY WITNESSES - HAS YET TO BE RULED ON BY THE COURT.

2. ON THE 13TH DAY OF OCTOBER 2008, PLAINTIFF MADE HIS REPLY TO THE DEFENDANTS RESPONSE IN OPPOSITION OF PLAINTIFFS NOTICE TO DEPOSE NON-PARTY WITNESSES.

*MOTION HAS YET TO BE RULED ON BY THE COURT.

3. ON THE 6TH DAY OF NOVEMBER 2008, PLAINTIFF FILED A MOTION TO REQUEST A SUBPOENA OF SPECIFIC EVIDENCE UNDER RULE 45 FOR NEWS FOOTAGE "UN-EDITED" FROM KPHO DATED 10-24-06 AND SPECIFICALLY NAMED BY TITLE IN MOTION. - MOTION HAS YET TO BE RULED ON BY THE COURT

4. ON THE 6TH DAY OF NOVEMBER 2008, PLAINTIFF FILED A MOTION TO TAKE DEPOSITIONS OF THREE DEFENDANTS OF THE CASE NAMED _____

- MOTION HAS YET TO BE RULED ON BY COURT.

AT THE TIME ALL FOUR OF THESE MOTIONS WERE FILED
Hon. _____ WAS NAMED AS PRESIDING JUDGE. AT SOME

(Attach additional sheets, as needed)

STATEMENT OF FACTS

Your Name: _____ Judges' Name: _____ Date: 4-4-09

POINT THE ~~JUDGE~~ CASE SWITCHED TO JUDGE WITH NO NOTIFICATION TO PLAINTIFF. IN ANY CASE IT IS THE RESPONSIBILITY OF THE PRESIDING JUDGE TO RESPOND PROMPTLY AND FAIRLY.

5. ON 25TH DAY OF FEBRUARY 2009, DEFENDANTS E-FILED A MOTION TO DEPOSE THE PLAINTIFF

A) A RESPONSE FROM JUDGE IN FAVOR OF SAID MOTION WAS FILED ELECTRONICALLY ON 2-25-09, AND AN ORDER OF APPEARANCE OF PLAINTIFF WAS PHYSICALLY IN MY HANDS BY 2-27-09.

IT IS OBVIOUSE TO PLAINTIFF THAT THE RULINGS OF THE COURT ARE EXTREMELY UNTIMELY AND INCONSISTENT. JUDGE HAS ~~STATED~~ VIOLATED THE CODE OF JUDICIAL CONDUCT, SPECIFICALLY CANON 3 (B), (2) FAILED TO BE FAITHFUL TO THE LAW; (5) FAILED TO PERFORM JUDICIAL DUTIES WITHOUT BIAS OR PREJUDICE; AND (8) FAILED TO DISPOSE OF MATTERS PROMPTLY, EFFICIENTLY, AND FAIRLY.

DATED THIS 4TH DAY OF APRIL 2009.

4-7-09
DATE

State of Arizona
County of

VERIFICATION

SUBSCRIBED AND SWORN to or affirmed before me this 7th day of April, 2009 1905.