

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-099

Complainant: No. 1360810410A

Judge: No. 1360810410B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge. Because the contents of the complaint do not support the claims, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: May 29, 2009.

FOR THE COMMISSION

 /s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on May 29, 2009.

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

Coversheet

COMPLAINT AGAINST A JUDGE

PRO-SE (Debtor)

chapter 7 11/10/08

BANKRUPTCY JUDGE

COVERSHEET SHOWING COMPLAINTS AGAINST

- 1) COMPLAINT TO DETERMINE DISCHARGE ABILITY OF STUDENT LOAN **ISSURANCE 2/11/09 ADVERSARY PROCEEDING**
- 2) Sallie Mae ANSWER, INTERROGATORIES, FIRST REQUEST, FIRST SET OF REQUEST FOR ADMISSION, DISCOVERY MAIL ON MARCH 12, 2009
- 3) PLAINTIFF **OBJECTION TO LATE ANSWER FROM IN ADVERSARY PROCEEDING 11 USC 523a(8) FED.RCP 12 BANKRUPTCY RULE 7012: TIME FOR ANSWER OF RESPONSE PLEADING. The defendant Sallie Mae shall serve an answer WITHIN thirty (30) days after the issuance of the summons February 11, 2009, or failure will be deemed to be their consent to entry of a judgment by the bankruptcy court. Judgment by default against defendant Sallie Mae for the relief demanded in the complaint. Defendant Sallie Mae response time expired, their response to the Adversary Proceeding was mail out on the thirty day March 12, 2009 instead Of the plaintiff receiving their response WITHIN OR NO LATER THAN the 30 days from issuance date. Therefore Sallie Mae defaulted in this Adversary Proceeding.**

PLAINTIFF TARVER OBJECTIONS & AMENDMENTED MOTION ON MARCH 23, 2009, Hearing Date MARCH 24, 2009.
- 4) JUDGE **RULING TO TIME EXPIRED, JUDGE said that plaintiff did not take into account that there are only 28 days in the month of February, Therefore plaintiff objections to answer, interrogatories, first request for documents and admission were overrule. Judge also strike plaintiff amendment to adversary proceeding stating that plaintiff amended complaint was not file with the defendant's consent or the court.**
- 5) EMERGENCY MOTION OF DEBTOR AGAINST GEICO FOR WILLFUL VIOLATION OF LAW 11 USC 362 AUTOMATIC STAY.
- 6) EMERGENCY MOTION OF DEBTOR AGAINST TIME WARNER CALBE AND ALIAS FOR WILLFUL VIOLATION OF LAW 11 USC 362 AUTOMATIC STAY.

- 7) JUDGE ORDER TO SHOW CAUSE.
- 8 HEARING ON 2/26/2009 ADJOURNED JUDGE STATED THAT I DID NOT SERVICE SUMMONS CORRECTLY AND I WAS GIVEN THREE ADDRESS TO MAIL SUMMONS OUT AGAIN. AND I HAD TWO CERTIFIED RETURN RECEIPT AND THE TIME OF HEARING.
- 9) LETTER FROM TIME WARNER CALBE ATTORNEY REQUESTING TO ADJOURN HEARING STATING THAT ANOTHER ATTORNEY WHO SPOKE WITH AND JUST GIVE HIM THE SUITE ON FEBRUARY 24, 2009. LETTER WAS SENT TO FOR Dated 2/25/2009.
- 10) AMENDMENT TO EMERGENCY MOTION FOR WILLFUL VIOLATION OF THE LAW 11 USC 362 AUTOMATIC STAY AGAINST GEICO.
- 11) TRANSCRIPT IS MISSING PARTS OF HEARING ON FEBRUARY 26, 2009 AND MARCH 24, 2009 WAITING ON HEARING FOR MARCH 17,2009.
- 12) NOTICE OF NO FINANCIAL MANAGEMENT CERTIFICATE, SCHEDULE CLASS FOR FEBRUARY 10, 2009, 5:30 PM, LETTER FROM MONEY MANAGEMENT INTERNATIONAL STATING SORRY FOR MY INCONVENIENCE.
- 13) EMERGENCY MOTION FOR EXTENSION OF TIME FOR FINANCIAL MANAGEMENT COURSE CERTIFICATE, REQUEST FOR APPROVAL TO PURCHASE A CELL PHONE AND TO HAVE THE BANKRUPTCY COURT TO CASH A CHECK FOR ME. SAID THAT THIS WAS NOT AND
- 14) NOTICE OF MOTION FOR THE ABOVE NO: 13 HEARING DATE GIVEN AND MONTH LATER 3/17/2009.
- 15) FINANCIAL MANAGEMENT COURSE CERTIFICATE GIVEN TO BANKRUPTCY ON FEBRUARY 25, 2009
- 16) HEARING ON 3/17/2009 ON NO:14 JUDGE DENING MANAGEMENT COURSE CERTIFCATE. IN REFERENCE TO PURCHASE OF CELL PHONE DUE TO TIME WARNER WILLFUL VIOLATION OF 11USC 362A IN DISCONNECTING INTERNET SERVICE WHICH SERVICE DEBTOR HOME PHONE JUDGE STATING AND HE NEVER HEARD OF ANY SUCH THING THAT A DEBTOR COULD NOT PURCHASE AND CELL PHONE IF THEY WANTED ONE WHILE IN BANKRUPTCY.. THAT WHAT I TOLD HIM AND I HAD READ THAT A DEBTOR WAS NOT ALLOWED TO PURCHASE ANYTHING OTHER THAN FOOD, CLOTHING, PERSONAL

AND HE SAID NEVER HEAR ANYTHING OF THE SUCH.. HE DID NOT EVEN SPEAK ABOUT THE CHECK THAT WAS NEED TO BE CASH.BECAUSE DEBTOR DID NOT HAVE A CHECKING. WAITING FOR AUDIO TRANSCRIPT ON MARCH 17, 2009.

- 17) EMERGENCY MOTION FOR EXTENSION OF TIME TO BETTER PREPARE MYSELF WITH BANKRUPTCY LAWS AND PROCEDURES DUE TO FINDING OUT THAT I DID NOT COMPLETE SOME PARTS OF MY BANKRUPTCY PETITION CORRECTLY AND REQUEST TO ELECTRONIC FILING DUE TO TRAVEL EXPENSES MARCH 2, 2009.
- 18) NOTICE OF MOTION FOR NO: 17 HEARING DATE APRIL 28, 2009
- 19) STIPULATION EXTENDING TIME TO OBJECT TO DEBTOR'S DISCHARGEABILITY OF DEBTS AND ANY CLAIMED EXEMPTIONS AND ANY CLAIMED EXEMPTIONS AND FOR DISMISSAL.
- 20) LETTER FOR HON. REQUEST A RESCHEDULE ON GEICO WILLFUL VIOLATION OF 11 USC 362a AGAINST THE DEBTOR. DUE TO THERE BEING THREE HEARING ALL ON THE SAME DATE APRIL 28, 2009. THIS IS OVERWHELMING FOR DEBTOR WHO IS PRO-SE.
 - a. GEICO WILLFUL VIOLATION OF LAW 11 USC 263
 - b. TIME WARNER CABLE AND ALIAS WILLFUL VIOLATION OF LAW 11 USC 362a
 - c. NOTICE OF MOTION FOR EXTENSION OF TIME TO BETTER PREPARE MYSELF WITH BANKRUPTCY LAWS AND PROCEDURES
- 21) HOW WAITING ON RESPONSE FROM JUDGE
- 22) ALL INFORMATION IS ENCLOSED.
- 23) TWO TRANSCRIPTS OF HEARING AND BOTH ARE MISSING PARTS THE HEARINGS.