

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-217

Complainant: No. 1370710759A

Judge: No. 1370710759B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: December 18, 2009.

FOR THE COMMISSION

 /s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on December 18, 2009.

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

CJC 09-217

COMPLAINT AGAINST A JUDGE

Your name: _____ Judge's name: _____ Date: 8/17/09

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.

I HEREBY LODGE A COMPLAINT AGAINST JUDGE _____ AND
AND A SPECIFIC CLERK (NAME NOT GIVEN) FOR THEIR RESPECTIVE COMPLICITIES WITH
JUDGE _____ IN ACTIONS DEEMED NOT ONLY IMPROPER, MOREOVER BORDER ON
ILLEGAL AND/OR FELONIOUS.

ATTACHED YOU WILL FIND } 2 PAGES COMPRISING THE AGREEMENT (P1-2)
8 PAGES } 1 PAGE COMPRISING CREDIT CARD PAYMENT AUTHORIZATION (P3)
 } 1 PAGE COMPRISING THE CREDIT CARD STATEMENT (P4)
 } 4 PAGES COMPRISING RECEIPTS FROM JUSTICE COURT (P5-8)
 } 1 PAGE COMPRISING THE CONTINUATION OF THIS COMPLAINT (P2)

THE COMPLAINT IS AS FOLLOWS; AS STATED IN THE AGREEMENT, I ACQUIESCED
TO PAY A TRAFFIC FINE IN 4 MONTHLY INSTALLMENTS OF \$54.20. I CHECKED
MY CREDIT CARD STATEMENTS EVERY MONTH. THE FEB & MARCH STATEMENTS
REFLECTED A CHARGE OF \$54.20 BOTH MONTHS. A \$54.20 CHARGE WAS NOT
REFLECTED IN APRIL, HOWEVER THE MAY & JUNE STATEMENTS REFLECTED THE
\$54.20 CHARGE IN BOTH MONTHS. I ASSUMED THE MATTER HAD BEEN RESOLVED.
HOWEVER TO MY UTTER DISBELIEF, ANOTHER, UNAUTHORIZED, CHARGE OF \$62.24
HAD BEEN ILLEGALLY ACCESSED FROM MY ACCOUNT BY JUSTICE COURT (JULY 17, 09)
AUTHORIZED BY JUDGE _____ . I RECEIVED MY JULY CREDIT CARD STATEMENT
STATING I HAD EXCEEDED MY CREDIT LIMIT (DUE TO THE ILLEGAL ACTIONS OF
JUDGE _____) AND AS SUCH WAS BEING ASSESSED AN OVER LIMIT PENALTY
FEE OF \$30. - [SEE ATTACHMENT PAGE 4]

I CALLED JUSTICE COURT ON AUGUST 3, 2009 AT 9:49AM PST
THE CALL LASTED APPROXIMATELY 30 MIN. I INITIALLY SPOKE WITH A
CLERK (NAME UNKNOWN) WHO INFORMED ME THAT THE JULY 17, 2009 CHARGE
TO MY ACCOUNT WAS THE RESULT OF FAILURE TO PAY THE APRIL, 2009
INSTALLMENT. SHE ALSO SAID THAT THE FAILURE TO PAY THE APRIL, 2009

**COMPLAINT AGAINST A JUDGE
(continued from page 1)**

installment was a breach of the agreement. I explained to her I had absolutely no knowledge of this situation, however I stated "in the event the agreement has been nullified, how can you justify accessing my credit card account in May and June?", and on top of that how is it possible and legal for the court to access my account a 5th time (July 17,2009) without my permission and without notification concerning this matter. The clerk put me on hold and answered the phone. She stated that a notice was sent to my address conveying the failure to pay. I never received such a notice and when I questioned her about the date it was sent, she could not respond (it was never sent, perjury committed by an employee of the Justice Court representing Judge). I further questioned her regarding the legality of accessing my account without my permission or authorization. And in fact since the agreement was in default, how could the court justify accessing my account in May and June, 2009 after the supposed failure to pay in April, 2009. She only repeated that the case had gone to collections (I received no such notification). I was once again put on hold while she conferred with Judge . She returned to inform me of what Judge said, which is he will return the \$62.24. Ms. then told me that the method of returning the funds would depend on their system, which she said would most likely be by check. I told her that was unacceptable and I demanded the funds be returned to the credit card account the court feloniously accessed. Her response was, that is not possible. Furthermore, she said on behalf of Judge that the \$62.24 would go to collections and on top of that I would have to pay an additional \$75.00 with no explanation. And to make the threats more emphatic, she said my license would be suspended and possibly a warrant for my arrest would be issued. She refused to attempt to resolve the issue and just repeated the threats. I then told her to return the funds to my credit card account and as soon as that is done I will deal with this matter. I then called the credit card company to inquire about an attempt to submit a charge in April on the same day my payment arrived; the response was yes but it was denied, however the amount that caused my account to exceed the limit was allowed in July. My response was why deny it in April on the same day my payment was posted and allow in July and then summarily charge me an over limit fee. Their response was not definitive (sometimes we do sometimes we don't, that's the way things sometimes happen). I then called the court again after about 20 minutes to inform the court of my findings and inquire why they had not resubmitted the next business day and to obtain a reasonable explanation of the actions (improprieties) of the court (the explanation of which was not provided) and she informed me that the Judge will need my request in writing to return the (illegally accessed) funds. She said she would send some sort of form. I am still waiting for the court's correspondence.

I strongly feel that this case is a prime candidate for a charge of malfeasance and removal of a judge for: [1] using a court employee to extort monies; [2] acts of coercion via threats of license suspension and/or warrant being issued; [3] breach of public confidence and trust by committing felonious acts (illegally accessing my credit card account); [4] lack of accountability (no attempt to resolve or explain); [5] willful misconduct; [6] exhibits lack of integrity; [7] committed multiple improprieties; [8] operates with impunity; [9] corruption bordering on racketeering. Also you will notice that the receipts from the court for May and June were manipulated to justify a special collection and fine (eventhough the case was purported to be in default and had been turned over to collections prior to the May and June installments, the May and June accessed amounts were the same as the agreed upon amount of \$54.20 of the original agreement; very curious, suspicious and improper and/or illegal). I also feel this is not the 1st time Judge Skiles has committed such egregious actions.

I respectfully request the Commission to investigate this deplorable situation and acts perpetuated by one or more who is/are sworn to uphold the law.

Dated this day the 17th day of August 2009