

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-220

Complainant: No. 1250110820A

Judge: No. 1250110820B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge. The proper application and interpretation of the rules and requirements regarding the signing of judgments, orders and other court documents raise substantive legal questions that should be addressed by the court itself, especially in view of the fact that many orders can be signed electronically. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: January 28, 2010

FOR THE COMMISSION

\s\ Keith Stott

E. Keith Stott, Jr.
Executive Director

Copies of this order were mailed to the complainant and the judge on January 28, 2010.

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

AUG 24 2009

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

vs. Plaintiff,

Case No.: CV 2006-

Defendants

NOTICE VIOLATIONS OF LAWS:

vs. Defendant / counter-claimant,

17A A.R.S. § 12-2101(D);
17A A.R.S. § Rule 5(a)(d) and 5B(a) Ariz. Rules
Civil Procedure; and Sup. Ct. Rules, Rule 81
Code of Judicial Conduct, Code, Canons 1, 2, 3;
ARS Const. Art 2, § 3, 4; Art 6.1 § 4(A);
28 U.S.C. § 455 (b)(3) By Judge

Plaintiff / counter-defendant,

Minute Entries dated 7/08/09, 7/21/09 and Three 8/05/06

vs. Defendant / cross-claimant,

MOTION FOR ORDER TO SHOW CAUSE AND FOR SUPREME COURT REVIEW: SANCTION, CENSURE OR REMOVE

Defendant / cross-claimant

vs. Defendant / cross-claimant

MOTION TO STAY PROCEEDINGS

Defendant / cross-claimant,

(Judge)
Rules of Evidence 201, judicially notice
Oral argument requested

Defendant / cross-claimant

vs. Defendant / cross-claimant

Defendant / cross-claimant

Supporting Affidavit 3

911 COMES NOW Defendant-Cross-claimant, ^{without benefit of counsel or} law library, Notices the violations of law by ^{and moves this Court to appear before} Arizona Supreme Court and Show Cause Why he should not be held in Contempt, Sanctioned, Censured or removed from office, for facts supported in Memorandum and Points of Authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

JURISDICTION

912 Supreme Court of Ariz. has authority to censure, suspend or remove a judge. A.R.S. Const. Art 6.1 § 1, 2, 3, 4. In re Haddad, 128 Ariz. 490, 491, 627 P.2d. 221, 222 (1981). The burden of imposing the sanction is put squarely on the Supreme Court; the Commission on Judicial Conduct "here in 'CJC'" has power only to recommend, sanction(s), censure, or removal from office, quoting In re Heurmann, 90 S.D. 312, 240, N.W. 2d. 603, 606 (1993), quoted In re Peck, 177 Ariz. 283 867, P.2d. 853 (1994).

¶ 3 The CJC, power-authority - sui generis is limited, their proceedings are neither civil nor criminal. The CJC is an essential element of the proceedings regardless of whether a disciplined judge [File# 05-323 - of February 16, 2006] files a petition for review with the Supreme Court or the Court exercises sua sponte review. The hearing shall be transcribed by a court reporter or tape recorded for use by the Supreme Court and a transcript shall be filed with the CJC's recommendations. "In re Nielson, 207 Ariz. 318, 86 P.3d. 374 (2004). The CJC in simplest terms is a transcriber or investigator, detective, with no power-authority to suspend, censure or remove a law breaking judge from office; - A.R.S. Const. Art. 6.1 § 4.(A), to protect the public,

¶ 4 CJC are wrong, often times in their sui generis, recommendations of censure, suspension, or removal from office, i.e., In re Jett, 180 Ariz. 103, 882 P.2d 474 (1994); In re Lorona, 178 Ariz. 562, 570, 815 P.2d 795 803 (1994); In re Goodfarb, 179 Ariz. 400, 403, 890 P.2d. 620, 623 (1994); In re Peck supra. The CJC erred in re File# 05-323, dismissing case on Feb. 16, 2006, his falsifying salary certificates, violation ARS Const. Art 4 § 21, 60 day speedy decisions - 228 days, from March 18, 2005 to November 2nd 2005. Rules 201 (a)(b)(d)(e)(f), Federal Rules of evidence. "FREvid." similar admirror in Ariz, Rules of Evidence 201 (a)(b)(d)(e)(f).

¶ 5 Superior Court Maricopa County Judge "herin" acts, per July 6, 2009 motion to change venue for cause of A.R.S. § 12-406 (B)(1), at ¶ 5; 19, 20, 29, 30, 31, 56, 62, and a duty to act, Pursuant to the law, 17A A.R.S. Rule 81, Sup. Ct. Rules, Code of Judicial Conduct Canons 1, 2 subA, B, 3. Subd. B(1)(7)(10), C(1), D(1)(2), E(1)(a), "here in the Code", U.S.C.A. Amend 1, 5, 6, 14, when conduct of government agents and conducts violates laws issues - due process, at issue must be fundamentally unfair and shocking to Universal sense of justice, mandated by 5th Amend. U.S.C.A. Const. Amend. "United States v. Marshank, 777 F.Supp. 1507 (N.D. Calif. 1991) judicially noticed. Rule of Evidence 201(d).

FACTS

¶ 6 Taken together, unsigned Minute Entries dated 7/08/09, 7/21/09 and three dated 8/05/2009, violation ARS, § 12-2101 (D) - stating: "Judgments and orders which may be appealed From any order affecting a substantial right made in any action when the order in effect determines the action and prevents judgment from which an appeal might be taken."

Minute Entries, 7/08/09, 7/21/09 and three dated 8/05/2009, all prevents judgment from which an appeal might be taken. did not sign his rulings - Rule 201 of Evidence judicially noticed.

¶ 7 August 5, 2009, one of 3 minute Entries states: "ORDERED ENTERED BY THE COURT The court has recently received multiple filings from Mr. [name] was formerly a party to this action, but it was dismissed See March 12, 2008 Minute Entry Mr. [name] therefore has no standing to continue to file motions or any other papers.