

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-247

Complainant: No. 1373210285A

Judge: No. 1373210285B

ORDER

The commission reviewed the complaint filed in this matter and found no evidence of ethical misconduct on the part of the judge. The issue raised is legal or appellate in nature and a more appropriate remedy would have been to file an appeal. Therefore, 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.

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: **Sept. 15, 2009**

1) **RESPONSE** of _____ of **August 27, 2009**, showing that up to that date **Hon.** _____ was the Assigned Judge is attached.

2) From beginning and Throughout ALL PLEADINGS **Judge was: Hon.** _____ . NO OTHER WAS KNOWN.

No notice of change of Judge was ever served on either defense or plaintiff.

3) Then on September 2, 2009 abruptly appeared: **RULING** (attached)

"... this Court finds the plaintiffs have failed to state a claim, and plaintiffs' Complaint would not entitle them to relief under any interpretation of facts susceptible of proof. Therefore,
IT IS ORDERED that plaintiffs' complaint is **DISMISSED**."

Signed **Hon.** _____

4) **Dismissal of Criminal Case** **CITY COURT**
CO **City of** **v.** **June 17, 2009**
was cited in the Amended Complaint (Appendix 5).

That Case and its Motion for Dismissal became

RESJUDICATA.

A prima facie cause for Malicious Prosecution was established.

Above RULING does not state Amended Complaint was DISMISSED.

