

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 09-268

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Complainant: No. 1373210463A

Judge: No. 1373210463B

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**ORDER**

The commission reviewed the complaint filed in this matter and found no ethical misconduct on the part of the judge. The issues raised involve legal and procedural matters outside the jurisdiction of the commission. The commission is not a court and cannot review evidence to determine whether or not a judge's decision is correct. Therefore, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: December 18, 2009.

FOR THE COMMISSION

    \sl 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. 28, 2009**

### I. Case No.

- 1) From beginning and Throughout ALL PLEADINGS Judge in Case No. was:

Hon.

- 2) Then on August 14, 2009 abruptly appeared: AMENDED ORDER

Signed Hon.

- 3) AMENDED ORDER of August 14, 2009 reads:

“Plaintiff filed a Motion for Reconsideration of Judgment under Rule 60(c). The court cannot determine from the motion for which reconsideration is sought or the legal grounds which might justify such a motion. Plaintiff makes reference to various police reports, facts contained within other cases, statutes and cases related to statute of limitations issues, state and federal sovereignty, and previously filed motions for reconsideration.

None of this makes any sense or requires any response by Defendants or the court. Therefore, **IT IS ORDERED** summarily denying whatever relief is sought.”

Signed HON.

Beyond an hysterical tone, the AMENDED ORDER makes manifest a complete unfamiliarity with the proceedings and consequently an undeniable violation of **RULE 63 Disability of a judge** Arizona Rules of Civil Procedure

This signed ORDER was the first and only notice that:

had been replaced by:

4) **There was never any notice of change of Judge by either:**  
**, Presiding Judge – Superior Court;**  
**nor by Court Administrator;**  
**nor by , Calendar Services**

5) was brought in as a  
**JACK IN THE BOX POP-UP JUDGE**

by **to curry favor with powerful**  
**interests of County and the State of Arizona.**

6, **NOTICE of August 26, 2009** is attached:

It is unsigned but made and formulated by

She makes the Court appointments of JUDGES.

**THERE IS NO RULE 6.3 NONSENSE OF UNPREDICTABILITY**

**Pro se litigants are treated as the lowest class of citizens in the Arizona Court System but even then they deserve to count on the impartiality of the Judges and compliance with the Arizona Rules of Civil Procedure.**

**I declare under penalty of perjury that all the foregoing is true and correct.**

**Executed September 28, 2009**

## II. Case No.

1) RESPONSE of \_\_\_\_\_ of August 27, 2009, shows that up to that date Hon. \_\_\_\_\_ was the Assigned Judge.

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

“... 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 \_\_\_\_\_ 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.**

The above justification was a false averment by

The RULING of DISMISSAL makes manifest a complete unfamiliarity with the Amended Complaint and proceedings and and consequently an undeniable violation of **RULE 63 Disability of a judge** Arizona Rules of Civil Procedure.



9) County Superior Court **Local Rule 6.3 Assignment of Cases****(6.3) Case Assignment** reads:

“All cases filed with the Clerk of Superior Court shall be assigned a case number and shall be assigned forthwith by the Clerk or the Court Administrator to a Civil Trial Division which will thereafter process the case to conclusion unless the case is otherwise assigned by the Presiding Judge, or by the Court Administrator under Rules 6.4, 6.5, 6.6 or 6.11. The assignment of cases may be done by automated means, but in any event, shall be accomplished in a random manner **so as to be unpredictable** and provide an equal distribution of cases among Civil Divisions.” (emphasis supplied)

**RULE 63 Disability of a judge** Arizona Rules of Civil Procedure reads:

“If a trial or hearing has been commenced and the judge is unable to proceed, any other judge may proceed with it upon certifying familiarity with the record and determining that the proceedings in the case may be completed without prejudice to the parties. . . .”

These are the two rules being violated by

and the judges appointed by her.

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**I declare under penalty of perjury that all the foregoing is true and correct.**

**Executed September 28, 2009**