

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-343

Complainant: No. 1381100365A

Judge: No. 1381100365B

ORDER

The complainant alleged the judge ignored evidence and refused to hear testimony involving an injunction against harassment. The commission reviewed the complaint 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 the judge ruled properly. Therefore, the complaint is dismissed pursuant to Rules 16(b) and 23.

Dated: March 4, 2010.

FOR THE COMMISSION

 /s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on March 4, 2010.

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

To Whom It May Concern:

Dear Sir/Madam,

What we are presenting to you is not only a complaint but the evidence of felonies being committed. When we have completed this huge process, all persons who ignore these felonies can also be charged with misprison or the failure to report a felony or concealment of a felony. Along with these charges, one can also be charged with accessory to these crimes by failing to report them. Our issues are with the _____ and the _____
PLEASE HELP US NOT TO BE ABLE TO INCLUDE THE STATE OF ARIZONA IN THE CASES WE ARE BUILDING. *You have the ability and obligation to report these felonies as soon as you realize these felonies and laws have been broken; along with misconduct of the judges being complained against (which you are witnessing at the moment you read this letter and the information contained in the complaint).*

December 17, 2009

From the case number # 09-

Municipal Court

COMPLAINT AGAINST: Judge

On **November 23, 2009** I had a court date to issue an injunction against harassment against . I went to court where Judge appeared and rendered judgment. **DURING THESE PROCEEDINGS, SHE RENDERED JUDGMENT AND DID NOT ALLOW ME TO ASK ANY QUESTIONS CONCERNING THE JUDGMENT.** I then returned to the desk before you enter the courtroom and spoke to a man at the counter. **HE TOLD ME HE COULD NOT GIVE ME ANY INFORMATION ABOUT THE CASE; AND HE COULD NOT GIVE ME ANY PRINTOUT OF ANYTHING. My wife was also present.** How was I to file an appeal if I had no information? I then decided she had done something very wrong and decided to file a complaint.

I was trying to explain the writ of restitution and she denied me a chance to ask her about it. The recording I obtained of the court proceedings states this fact.

How can a judge pass over a crime being committed? **Why did she not understand and know the proper way to issue a writ of restitution?** She as a judge is required to uphold the law. Even if she did not uphold the law, **she as a citizen cannot ignore a felony. THIS IS THE LAW!!**

She is also **guilty of misprison**, which is the **failure to report a felony**. We plan to seek filing charges against her for this felony she committed. She can also be charged with **accessory by sitting by and allowing this to take place and continue.**

IN MY JUDGMENT, THIS SHOWS THE FOLLOWING:

- 1. Incompetence** - If you do not have the ability to understand and know common laws, then how can you be competent enough to give judgment on any cases?
- 2. Inability to make a fair judgment** - The lack of understanding of the law has hampered his ability to bring forth fair judgment. **THIS IS ALSO A CASE OF DISCRIMINATION.**
- 3. Willingness to overlook the correct judgment and the law** - How can judge stand aside and watch FELONIES BEING COMMITTED? This means all of his cases need to be **REVIEWED!**

THE ARIZONA CODE OF CONDUCT STATES SHE IS ALSO GUILTY OF THE FOLLOWING:

- 1. Rule 1.1 Compliance with the law** – By avoiding the evidence she was presented, A. was not in compliance with the law. In fact, she committed a **felony** when she refused to report the facts about the writ of restitution, along with breaking and entering.
- 2. Rule 1.2 Promoting Confidence in the Judiciary** – A. failed to

promote confidence in the Judiciary by refusing to hear any other facts and/or not reporting the fact a crime had been committed.

3. **Rule 1.3 Avoiding abuse of the Prestige of Judicial Office – A.** allowed abuse of the prestige of judicial office by not allowing fair judgment, not being competent enough to see the facts, and by avoiding a felony crime had been committed.
4. **Rule 2.2 Impartiality and Fairness – A.** did not allow fairness by accepting here say from while at the same time refusing to hear the plaintiff.
5. **Rule 2.5 Competence, Diligence, and Cooperation – A.** failed to show competence in the law! If she is competent, she would have had the defendant () and (**witness**) arrested immediately after the trial. She would have then forwarded all information and evidence to the prosecutor's office, which is in the same building.
6. **Rule 2.6 Ensuring the Right to be Heard –** She refused to hear or explain any further what the verdict was to me. She also refused me the right to further explain my case. She did not want to even hear about the writ of restitution, which had been returned to the courts.

She overlooked the following **EVIDENCE (felonies)**:

1.

13-2702. Perjury; classification

A. A person commits perjury by making either:

1. A false sworn statement in regard to a material issue, believing it to be false.
2. A false unsworn declaration, certificate, verification or statement in regard to a material issue that the person subscribes as true under penalty of perjury, believing it to be false.

B. Perjury is a class 4 felony.

13-3916. Service of warrant; breaking and entering to execute

A. A search warrant may be served by any peace officer but by no other person except in aid of an officer engaging in service of the warrant.

B. An officer may break into a building, premises or vehicle or any part of a building, premises or vehicle, to execute the warrant when:

1. After notice of the officer's authority and purpose, the officer receives no response within a reasonable time.
2. After notice of the officer's authority and purpose, the officer is refused admittance.

3. A magistrate has authorized an unannounced entry pursuant to section 13-3915.

4. The particular circumstances and the objective articulable facts are such that a reasonable officer would believe that giving notice of the officer's authority and purpose before entering would endanger the safety of any person or result in the destruction of evidence.

C. A peace officer executing a search warrant may seize any property discovered in the course of the execution of the warrant if the officer has reasonable cause to believe that the item is subject to seizure under section 13-3912, even if the property is not enumerated in the warrant.

D. A peace officer executing a search warrant may make or cause to be made photographs, measurements, impressions or scientific tests.

E. A peace officer executing a search warrant directing a search of any premises or a vehicle may search any person in the premises or vehicle if either of the following applies:

1. It is reasonably necessary to protect himself or others from the use of any weapon that may be concealed upon the person.

2. It reasonably appears that property or items enumerated in the search warrant may be concealed upon the person.

2. _____ - According to the testimony given by _____ on the day of the dvd recording, he stated "He had to break in (meaning _____) to get into the property!"

13-3916. Service of warrant; breaking and entering to execute

A. A search warrant may be served by any peace officer but by no other person except in aid of an officer engaging in service of the warrant.

B. An officer may break into a building, premises or vehicle or any part of a building, premises or vehicle, to execute the warrant when:

1. After notice of the officer's authority and purpose, the officer receives no response within a reasonable time.

2. After notice of the officer's authority and purpose, the officer is refused admittance.

3. A magistrate has authorized an unannounced entry pursuant to section 13-3915.

4. The particular circumstances and the objective articulable facts are such that a reasonable officer would believe that giving notice of the officer's authority and purpose before entering would endanger the safety of any person or result in the destruction of evidence.

C. A peace officer executing a search warrant may seize any property discovered in the course of the execution of the warrant if the officer has reasonable cause to believe that the item is subject to seizure under section 13-3912, even if the property is not enumerated in the warrant.

D. A peace officer executing a search warrant may make or cause to be made photographs, measurements, impressions or scientific tests.

E. A peace officer executing a search warrant directing a search of any premises or a vehicle may search any person in the premises or vehicle if either of the following applies:

- 1. It is reasonably necessary to protect himself or others from the use of any weapon that may be concealed upon the person.
- 2. It reasonably appears that property or items enumerated in the search warrant may be concealed upon the person.

NOTE: He physically broke into the premises at admitted this on the dvd, the **HE CHANGED HIS DECISION IN COURT ON OCTOBER 23, 2009!**

3. Officer Badge Number# -

13-3916. Service of warrant; breaking and entering to execute

Accessory before the breaking in, accessory during the break in, and accessory after the break in; especially after they heard me explaining the Arizona Statues to them as well as . He can also be guilty of misprison or the failure to report a felony.

This was not a search warrant, it was a **WARNING!**

4. Officer Badge Number#

13-3916. Service of warrant; breaking and entering to execute

Accessory before the breaking in, accessory during the break in, and accessory after the break in; especially after they heard me explaining the Arizona Statues to them as well as . He can also be guilty of misprison or the failure to report a felony.

This was not a search warrant, it was a **WARNING!**

I then came back in three (3) minutes with the papers stating **ARS 12-1173** Definition of forcible detainer substitution of parties, **ARS 12-1172** Definition of forcible entry, and **ARS 13-3112**

On October 23, I was given an injunction against harassment by the Tempe Courts. delivered this to me at the courts himself, even though he was not to have any contact with me until the case was over.

... my neighbor called me and my wife stating there was someone that