

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 09-344

Complainant: No. 1381100448A

Judge: No. 1381100448B

ORDER

The complainant alleged the judge failed to take action when he was presented with evidence of a felony. The commission reviewed the complaint and found no evidence of ethical misconduct on the part of the judge. The issues raised involve legal and procedural matters outside the jurisdiction of the commission. Therefore, the complaint is dismissed pursuant to Rules 16(b) and 23.

Dated: March 8, 2010.

FOR THE COMMISSION

 /s\ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on March 8, 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 City of Tempe and the City of Chandler. 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 # CC2009-

Justice Court

**COMPLAINT AGAINST: Judge
Aggregated Properties vs**

On November 9, 2009 persons named _____
and Officer _____ (Officers of the
Department) broke into my home to issue a **WRIT OF RESTITUTION**.

We have filed a complaint based on the following incidents we have described below.

At the time, my daughter called me and my wife stating there was someone with the police breaking into my home. I came home and found my plastic window (broken and remove, along with the door locks taken out and removed. At my front door there were two (2) workers, who also were drilling out my front locks to put their own locks on the doors.

I came up and asked them what they were doing when I met

He told me, "the city is about to condemn your property and we want to give it to the NEW OWNER. I asked about a so-called new owner! I then started explaining to him what had happened.

This writ of restitution came from the _____ Justice Courts signed by Judge _____. I then sent him a faxed letter stating the grounds for my **SUBSTITUTION OF OWNER** was not something I was going to do. However, the _____ Police and _____ came to my home and **forced me to leave**.

After they came and forced me from my home, I then wanted to allow the Judge to see what had been done. **TO MY AMAZEMENT, HE RECEIVED ALL OF THIS INFORMATION AND DID NOTHING!** He as a judge is required to uphold the law. Even if he did not uphold the law, **he as a citizen cannot ignore a felony**. He can and should also be charged with avoiding the law, even when he knew the law was being broken.

I sent him a copy of the **video tape (dvd)**, which we captured showing them what laws had been broken. In the end, he still did nothing to prevent these felonies from occurring. I even sent him the laws, which had been broken.

He is also **guilty of misprison**, which is the **failure to report a felony**. We plan to seek filing charges against him for this felony he committed. He can also be charged with **accessory by 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 HE IS ALSO GUILTY OF THE FOLLOWING:

1. **Rule 1.1 Compliance with the law** – By avoiding the evidence He was presented, _____ was not in compliance with the law. In fact, he committed a **felony** when he refused to report the facts about the writ of restitution, along with breaking and entering.
2. **Rule 1.2 Promoting Confidence in the Judiciary** – _____ 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** – _____ 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** – _____ did not allow fairness by accepting here say from Aggregated Properties, while at the same time refusing to hear the plaintiff.
5. **Rule 2.5 Competence, Diligence, and Cooperation** – _____ failed to show competence in the law! If he is competent, he would have had _____ and _____ arrested immediately after receiving the information he received from me. He would have then forwarded all information and evidence to the prosecutor's office. Instead, he chose to pass up the evidence being presented to him.
6. **Rule 2.6 Ensuring the Right to be Heard** – Our right to be heard and have facts verified were not permitted by him.

He 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!

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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 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.

Civil damages will now be pending soon for City of Police Department, City of as well as Properties!

We have been discriminated against, fraud, and others we are now currently looking into.

EVIDENCE: LISTED BELOW

EXHIBIT A: COPY OF WRIT OF RESTITUTION

EXHIBIT B: DOCUMENTS STATING THE WRIT OF RESTITUTION WAS RETURNED AND NOT TO BE SERVED

EXHIBIT C: COPY OF CRIME ON DVD (RECORDED)