

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-170

Complainant: No. 1175510882A

Judge: No. 1175510882B

ORDER

The complainant alleged that a justice of the peace had a conflict of interest because she attended the same law school as opposing counsel and issued a disrespectful order. The commission reviewed the allegation and found no evidence of ethical misconduct on the part of the judge. The fact that the judge attended the same law school at approximately the same time more than ten years ago does not constitute grounds for disqualification pursuant to Rule 2.11. Further, the judge's order directing the complainant not to file further frivolous motions was prompted by the complainant's own conduct and was not harsh or improper. The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: August 31, 2010.

FOR THE COMMISSION

\s\ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on August 31, 2010.

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

2010-170

COMPLAINT AGAINST A JUDGE

Your name,

Judge's name

Date: 10/20/2010

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

According to the Canon Laws, I do hereby charge Pro Tempore Part-Time Judge with these violations of the Arizona Code of Judicial Conduct (Arizona Supreme Court Rule 81 Rules of Supreme Court) - Pro Tempore Judge.

She also violated A.R.S. rules and due process.

(1) Judge had a conflict of interest in my case and should not have made any rulings at all.

(2) Judge was a classmate of Attorney the assistant Attorney for the City of Peoria. (Brigham Young) (Exhibit C and Exhibit D)

(3) They both attended Brigham Young Law School together, as you can see by their bios here.

(4) was defending the City of Peoria in my case.

(5) They went to classes together for three years.

Canon 1 - "A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."

Violations - Rule 1.1 Compliance with the Law.

Rule 1.2 Promoting Confidence in Judiciary.

(Attach additional sheets as needed)

(2)

2010-170

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 6/20/2010

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

Rule 1.2 (1, 2, 3, 4, 5), Rule 1.3 Avoiding Abuse of the Prestige of Judicial Office. - A Judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so. (1).

Judge did the 1/11/2010 order ruling to advance and help Attorney Michael Wawo. (See Exhibit A and B here)

She did state "Motion is moot - this case has been dismissed with prejudice on 12/3/2009 - no further dates should be set and any dates currently set should be vacated - further it is (plaintiff) not to file any further frivolous motions on this matter" (Exhibit B)

Exhibit A denying motion to vacate order imposing sanctions against Plaintiff - also dated 1/11/2010.

Because the City of Peoria is "Pro Per" in this case and admittedly is not entitled to Attorney fees as of A.R.S. 12-349(A)(1) and also because Attorney is a City of Peoria employee and gets a regular salary from the City of Peoria - he is not entitled to Attorney fees or reimbursement from Plaintiff. Also, Attorney was late

(Attach additional sheets as needed)

(3)

2010-170

COMPLAINT AGAINST A JUDGE

Your name _____

Judge's name: _____

Date 6/20/10

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages, as needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

In filing his Application and Affidavit for Attorney fees, his Billing Sheet wasn't accurate, dates not current, not timely and no motion to compel or hearing on Attorney fees done by court. Attorney / Pro Temp Judge Knew all this and did nothing to stop her classmate from being granted Attorney fees.

Violation Rule 2.2 Impartiality and Fairness (1,2,3), Violation Rule 2.3, Bias, Prejudice and Harassment

(A, B, C) (1) (3)

Her attitude and language toward Plaintiff in this 11/2010 ruling is disrespectful and demeaning.

PLAINTIFF DOES NOT FILE FRIVOLOUS MOTIONS.

Rule 2.4 External Influences on Judicial Conduct

(A) (B) (C). Attorney

Attorney relationship influenced Judicial Conduct and her rulings in my case. Pro temp should have known better.

Rule 2.5 Competence, Diligence and Cooperation.

(A) (1) (4) Violations.

Violation Rule 2.6 Ensuring Right to Heard.

(A) (1) Plaintiff did not have Right to be heard.

violation Rule 2.8 Decorum, Demeanor and

Communication with Jurors. (A) (B)

violation Rule 2.9 Ex Parte Communication

(Attach additional sheets as needed)

(7)

CONFIDENTIAL

State of Arizona

Commission on Judicial Conduct

1501 W. Washington Street, Suite 229

Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2010-170

COMPLAINT AGAINST A JUDGE

Your name

Judge's name

Date 6/24/10

Instructions: Use this form or plain paper of the same size to file a complaint. Attach additional pages if needed. Please describe in your own words what the judge said or did that you believe constitutes judicial misconduct. To help us understand your concern, be specific and list all of the names, dates, times and places where the conduct occurred. Include only copies of original documents or court recordings that are relevant to your allegations. Print on only one side of the paper only, and keep a copy of the complaint for your files.

Rule 2.9 Ex Parte Communication violation. (A)(b)(6)(1)

(2)(9)

Violation Rule 2.11 Disqualification (A)(1)(3)(2)(c) (b)(a)(1)(2)(5)(6).

Violation Rule 2.15 Responding to Judicial and Lawyer Misconduct. (A)(B)(C)(D). (1)(2)

"Taking action to address known misconduct is a judge's obligation"

Attorney has incorrectly used the 11/12/10 Ruling by his college classmate repeatedly in front of two justice court judges - Judge Clarry Jayne and Pro Tem Judge David Seyer. Attorney has also used this

11/11/2010 by Pro Tem Judge

numerous times in pleadings to the court. Pro Temp/

Attorney

is incompetent, corrupt and not impartial, is not fair, does not comply with the laws, abuses the judicial office, had ex-parte communications and lacks respect and is not patient, dignified or courteous to litigants.

This 11/11/2010 motion/Ruling was expressly written for her friend and classmate, Attorney

(Attach additional sheets as needed)

6/24/10 (5)