

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-270

Complainant: Self-report No. 0308110534A

Judge: No. 0308110534B

ORDER

The judge reported receiving a speeding citation in another state that resulted in a misdemeanor criminal violation. The commission decided to dismiss the complaint with a private comment reminding the judge of his obligation to comply with Rule 1.1 of the Code of Judicial Conduct, which requires judges to follow the law.

The complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: December 20, 2010

FOR THE COMMISSION

\s\ William Brammer

J. William Brammer, Jr.
Commission Chair

Copies of this order were mailed to the complainant and the judge on December 20, 2010.

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

OCT 20 2010

October 19, 2010

Commission on Judicial Conduct
1501 W. Washington St.
Suite 229
Phoenix, AZ 85007

RE: Enclosed Citation and Documentation

Dear Commission Members:

On Monday, October 11, 2010, I was driving through San Juan County, Utah. On the long hill going southbound from Church Rock, up hill towards the town of Monticello, I commenced to pass a series of slower moving RV's. In doing so I made use of the passing lane. After passing them, I failed to slow down and possibly even increased my speed to put some distance between myself and said vehicles. The result was that I was stopped by a Highway Patrol officer and received a citation for Speeding 75 in a 65 MPH Zone, with an address to send in my fine amount of \$90.00.

The next day I immediately called the San Juan County Court and, being transferred to their County Attorney's Office, made arrangements to attend traffic school so as to obtain a dismissal of my ticket. Today, upon receipt of the paperwork from said County Attorney's Office, I find that my citation is in fact a Utah Class C Misdemeanor.

Needless to say, I feel terrible about my actions in being charged with this criminal traffic offense. I will of course continue to go through the process described above to get an eventual dismissal of the ticket. However, I feel strongly that it is unacceptable for a magistrate in a municipal court to act in a manner that results in any criminal charge. It is in that spirit that I humbly inform you of this situation, and await any response that you deem necessary.

I apologize completely, and offer no excuses; but I do promise to be very careful in my driving from now on. I believe that my last traffic ticket was about 14 years ago.

Sincerely,

enclosures