

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-321

Complainant: No. 1374310321A

Judge: No. 1374310321B

ORDER

The complainants alleged that a superior court judge should have disqualified himself based on a federal lawsuit they filed naming the judge as a material witness in their case. They further allege the judge failed to give notice of a hearing and unfairly proceeded in their absence. The commission reviewed the matter and found no evidence of ethical misconduct on the part of the judge. Litigants cannot force judges to disqualify themselves by filing lawsuits against them. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: January 24, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on January 24, 2011.

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

1 7. Such a demand is an abuse of discretion, illegal and contrary to statute relative
2 to change of judge for cause, which mandates that a judge proceed no further and
3 at once transfer the matter to another division of the court.

4 8. On November 18, 2010 Complainants sent a 28 page fax to inclusive of
5 the federal complaint in question. *Exhibit 3*.

6 7. On December 1, 2010 Complainants received a copy of minute entry for the
7 proceeding of November 19, 2010, illegally adjudicated by and contrary
8 to the statement made in *Exhibit 2*, that is, that he would disqualify himself
9 upon receipt of the federal complaint in question, which he did not.

10 8. ruled in excess of jurisdiction.

11 9. violated self policing policy as set out in the **Codes of Judicial**
12 **Conduct.**

13 10. In retaliation for filing a federal action, illegally ruled on matters in
14 this case, contrary to statute and procedural law as herein mentioned.

15 11. We request the commission appropriately investigate and deliberate this matter.

16 12. We request the commission appropriately sanction for 1) retaliation,
17 2) a blatant disregard for conduct rules, 3) a disregard for his duties and
18 responsibilities as provided by law, 4) deliberately ignoring procedural, statutory
19 and constitutional law relative to due process, ethical conduct and change of judge
20 for cause.

21 DATED: December 1, 2010

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