

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-017

Complainant:	Self-reported	No. 0308110760A
Judge:	Michael Bluff	No. 0308110760B

ORDER

A superior court judge self-reported that he inadvertently delayed acting on a mandate from the court of appeals. After considering the circumstances, the commission concluded that the delay was not unreasonable and found no misconduct on the part of the judge. Accordingly, the case was dismissed pursuant to Rules 16(a) and 23.

Dated: March 1, 2011.

FOR THE COMMISSION

/s/ Keith Stott

Executive Director

Copies of this order were mailed to the complainant and the judge on March 1, 2011.

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

2011-017
JAN 18 2011



Arizona Superior Court

January 13, 2011

Mr. Keith Stott, Jr., Executive Director
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, AZ 85007

Subj: 60-Day Rule

Dear Mr. Stott:

It has come to my attention that a case assigned to me in July 2010 had a pending Mandate from the Court of Appeals which I failed to address. I am enclosing a copy of the Notice which was forward to the parties that further explains the timing of the events and the circumstances of what occurred.

Normally when cases are reassigned between the Divisions, the reassignment order identifies whether there are any pending motions or petitions. Unfortunately, that was not done in this particular case. Nevertheless, the responsibility for reviewing the file and identifying whether there are pending matters before the Court following a reassignment clearly rests with the Judge.

When this case was reassigned to my Division in July 2010, it was reviewed and either the June 2010 Mandate from the Court of Appeals was not in the file or it was simply overlooked. Either way, this situation was an oversight for which I take full responsibility.

If you have questions or need additional information concerning the circumstances of what occurred, please contact me.

Thank you.

Very truly yours,

cc: Hon. David L. Mackey, Presiding Judge