

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 11-155

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Complainant: Commission

Judge: Clancy Jayne

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**ORDER**

The Commission received information about Justice of the Peace Clancy Jayne's activities and opened its own investigation. The investigation raised three areas of concern, which resulted in three distinct resolutions. The first and second areas, as described below, resulted in dismissals with private comments. Because those areas are so closely intertwined with the third area, which resulted in a public sanction, the commission finds pursuant to Commission Rule 9(c) that the disclosure of otherwise confidential information in this order is necessary to protect the administration of justice. The private comments to Judge Jayne will, however, remain confidential pursuant to Commission Rule 9(a).

First, the judge's "Breakfast with the Judge" series raised concerns pursuant to Rules 1.2, 3.1(C), and 4.2(A)(3) of the Arizona Code of Judicial Conduct. The Commission determined that these concerns should be addressed through a private, strongly worded warning letter and thus dismissed the concerns pursuant to Rule 16(b).

Second, the judge's personal website includes a list of "local resources" that references only one political party, potentially suggesting Judge Jayne may be subject to political influence. Further, the website includes a reference to the judge's private financial consulting work, which is a potential violation of Rule 1.3. The Commission determined that these concerns should be addressed through a private advisory comment and thus dismissed the concerns pursuant to Rule 16(b).

Third, Judge Jayne's personal website contains an advertisement for his wedding services, which is a clear and direct violation of Rule 3.16(C). Because the judge received an advisory letter when he previously included a wedding services advertisement on his website, the Commission determined that this clear violation warranted a public reprimand.

Accordingly, the judge is hereby reprimanded for his conduct pursuant to Rule 17(a), and the record in this case, consisting of the judge's response and this order, shall be made public as required by Rule 9(a). While the record would normally include the complaint, no complaint was filed and thus none is publicly available.

Dated: November 16, 2011,

FOR THE COMMISSION

  
Louis Frank Dominguez  
Commission Chair

Copies of this order were mailed to the complainant and the judge on November 16, 2011.

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

The event I was describing was a reception at Valley Ho Hotel in Scottsdale called "Politics on the Rocks." It's a republican monthly gathering with political speakers. Last week Grover Norquist (president of a taxpayer advocacy group Americans for Tax Reform and a member of the board of directors of the National Rifle Association, the American Conservative Union, as well as the Advisory Council of GOProud) was the speaker. The event is attended by those on an invitation list but also open to the public. Judge Jayne was distributing a printed white card approximately the size of a quarter of a page inviting people to the event described below. I don't have a copy of his invitation. — PDJ



2011-155

This e-mail and all attachments are intended for use only by the named addressee(s) and should not be read by, or delivered to, any other person. Pursuant to Rule 123(e)(8), Arizona Rules of the Supreme Court, this communication is confidential between the author and the named addressee(s). Review or use of this e-mail by other than the named addressee(s) is not authorized. If you received this e-mail in error or without authorization, please inform the author at the above address and delete this e-mail from your computer.

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**From:** Clancy Jayne [mailto:judgejayne@gmail.com]  
**Sent:** Thursday, May 05, 2011 9:19 AM  
**To:** Julie Huffman  
**Subject:** reminder tomorrow

## **YOU ARE INVITED**

Judge Clancy Jayne is excited to invite you to attend his new Breakfast with the Judge series on Friday, May 6, 2011 at 7:00 AM.

This inaugural event will feature a special guest speaker Arizona Congressman JEFF FLAKE.

Please join Judge Jayne in welcoming Congressman Flake while enjoying a hot breakfast buffet and fellowship among friends and neighbors.

Breakfast will be served at:  
Wolfley's Neighborhood Grill at the Desert Ridge Marketplace  
21001 N. Tatum Blvd # 96  
Phoenix, AZ 85050

The cost is only \$15.00 per person, please pay at the door.

Please send RSVPs to [cjbreakfast@gmail.com](mailto:cjbreakfast@gmail.com)

Include your name, names of any guests attending with you and contact information.

Security will be provided. For more information, go to [www.clancyjayne.com](http://www.clancyjayne.com) or send inquiries to [cjbreakfast@gmail.com](mailto:cjbreakfast@gmail.com)

JUN 15 2011

## **Some Possible Problems**

- (1) Web page of Judge Clancy Jayne, Desert Ridge JP, features cash only fundraising breakfasts using his official title and does so in connection with other political figures**
- (2) Web page of Judge Jayne advertises for wedding services**
- (3) Web page of Judge Jayne says he still runs a “financial services company that conducts field inspections for financial institutions” on an “as needed basis.”**
- (4) Web page of “Political Mafioso” links Judge Jayne’s breakfast programs among other campaigns**

AUG 11 2011

July 15, 2011

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

**Re: Response to Case Nos. 11-155 and 11-159**

Dear Commissioners:

Thank you for the opportunity to respond to the allegations presented in the commission's *Notice of Investigations* dated June 28, 2011. After careful consideration of the commission's concerns regarding my conduct as a judge in each of the noted cases, I wish to present my formal response (with exhibits) to the commissioners.

**Case 11-155**

**(Part A)**

The commission has inquired about my bi-monthly "Breakfast with the Judge" information on my website and its concern that I "*may be engaged in ongoing, improper political activities*" directly related to this event.

To further understand the concept of the breakfast, the commission has also asked for:

1. A description of the event.
2. A list of guests featured on the invitations.
3. Clarification regarding whether I permitted or invited any political candidates to engage in: solicitation of campaign contributions, gathering nominating petition signatures, solicitation of campaign volunteers, or active campaigning through remarks presented to breakfast attendees.

***Answer:***

Prior to being elected as the Justice of the Peace for the Desert Ridge Precinct in 2008, I was excited about relaunching my monthly breakfast event that I conducted in the Deer Valley area for many years. However, following my swearing-in in January 2009, I placed all of my time and emphasis on becoming a knowledgeable justice with the assistance of a very efficient court staff. This was not the right time to relaunch my breakfast series.

After two years on the bench, in January 2011, I contacted Marty Vance, Justice Court Administrator, to inquire about the legality of hosting a breakfast series. Mr. Vance forwarded my questions and concerns to Maricopa County Deputy Attorney, Brandon Newton. Following a conversation with Mr. Vance, on February 8, 2011, Mr. Newton deferred a legal opinion to the Commission on Judicial Conduct. (See Exhibit 11-155 A)

On February 17, 2011 Mr. Vance contacted Mr. Keith Stott, the Executive Director of the Commission on Judicial Conduct. Mr. Stott reviewed the ethical concerns that one might have with the breakfast, applying the Judicial Canons to answer those concerns. On February 23, 2011, Mr. Stott emailed Mr. Vance with his answer to my inquiry. He wrote the following (See Exhibit 11-155 A):

*From: Stott, Keith [mailto:KStott@courts.az.gov]  
Sent: Wednesday, February 23, 2011 9:21 AM  
To: James Vance - MCJCX  
Subject: RE: Breakfast with the Judge*

*Marty: There is nothing in the Code of Judicial Conduct that would prohibit this type of activity as long as the judge adheres to the code in general. For example, Rule 3.1 permits a judge to engage in extrajudicial activities as long as they do not interfere with the performance of the judge's judicial duties, lead to frequent disqualification of the judge, affect the judge's independence, integrity or impartiality or demean the judicial office, and so on. The judge should also be careful, as you pointed out, not to talk about specific court cases. –Keith Stott*

I appreciated Mr. Stott's positive answer and valued his expert legal opinion. I was excited, once again, to host a breakfast event open to the public. I immediately began the task of planning a professional event that would make the commission proud.

I believe that in just two breakfast events, I have accomplished just that – based on the bipartisan participation of public, elected and judicial attendees. Our July 1<sup>st</sup> breakfast ended with a moving rendition and sing-a-long of *God Bless America* led by Encanto Precinct Justice of the Peace, C. Steven McMurry. It was a fitting way to ring in the July 4<sup>th</sup> weekend.

***Answers to specific commission questions:***

(1) The breakfast is a bi-monthly event that encourages fellowship within the surrounding community and provides the opportunity for all interested parties to attend and enjoy breakfast together. The breakfast is completely open to the public and walk-ins are welcome.

(2) The inaugural May 6, 2011 breakfast featured Arizona Congressman Jeff Flake. The July 1, 2011 breakfast featured the Arizona Senate President, Russell Pearce.

(3) Under absolutely no circumstance was any campaign activity promoted, encouraged or solicited. I would never compromise any event I am affiliated with by allowing any campaigning activities. I began working to secure Congressman Flake's appearance at my inaugural breakfast before he announced his candidacy for the US Senate. Arizona Senate President Russell Pearce was not a candidate for any office as of the July 1, 2011 breakfast.

**(Part B)**

The commission raises several concerns regarding my website. First, the commission notes that I "*specifically list and thus advertise*" my wedding services "*which appears to be a direct violation of Rule 3.16(C)*". Second, the commission notes that a list of local resources "*appears to be partisan*" because the Arizona Republican Party is listed while the Arizona Democratic Party and others are not listed. Third, the commission suggests that I may be biased (or have the appearance of bias) in matters pertaining to civic organizations that I belong to, some of which the commission "*is unfamiliar with*".

***Answers to specific commission questions:***

(1) The Maricopa County Superior Court website (under Justice Courts, last entry in general information) says this about marriage ceremonies:

*The Justice of the peace may also perform marriage ceremonies. Under the authority of the State of Arizona, the Justice of the peace is authorized to perform a marriage anywhere in the state. Some justice courts also issue marriage licenses.*

<http://www.superiorcourt.maricopa.gov/justiceCourts/GeneralInformation/Index.asp> (See Exhibit 11-155 B)

Many parties interested in being married by a justice of the peace retrieve my name and/or court precinct information from the MCSC website then conduct a Google search to learn whether or not my court conducts weddings. Since the MCSC website is nearly silent on information regarding weddings, a normal Google search may cause several to end up at my website (or another justice's website) by default. This is not intentional. I have been able to direct many interested parties to the Justice Court website that lists the jurisdictions of other justices that may be more proximal to the party.

My website does list wedding services; however, it is for informational purposes only. I do not advertise in sidebars or pay any search engine for preferential searches and/or advertising. I do not advertise in local newspapers, bridal shows, etc. I have no interest in advertising for wedding services now or in the future.

(2) The resources listed on my website are general in nature and do not cover all of the possible legal, political and resources available to the public. I certainly did not purposefully exclude any particular political party.

(3) The list of civic organizations I am a member of is really a biography of my 30+ years in the North Phoenix area. This list represents a significant part of my curriculum vitae. I am not an attorney as so many of our justices are and cannot list the legal associations and memberships that most attorneys are familiar with. Some of organizations listed on my website may be unfamiliar to the commission since they are small, regional groups that are not widespread across the Valley. My webmaster has taken great care to confirm that the list is correct. To allay any fears of the commission, I certainly would recuse myself from any case before me that would appear to conflict with my membership in any one of these organizations.

### **Case 11-159**

The commission recently received an anonymous complaint suggesting I have a personal friendship with Senator Scott Bundgaard from my previous service in the state legislature and issued an unusual ruling favoring Bundgaard, in a civil traffic matter that occurred in the Desert Ridge precinct on March 23, 2010. (See Exhibit 11-159 A)

The commission has asked that I:

1. Clarify my relationship with Senator Scott Bundgaard.
2. Clarify the nature of any communications I had with him regarding the case before me in 2010.
3. Explain the basis for my waiver of mandatory fees.

(1) Scott Bundgaard and I do not have a personal friendship and did not serve in the legislature together. I served in the 46<sup>th</sup> legislature, following my election in November 2002. My service was from 2003-2004. Bundgaard's last service ended with the 45<sup>th</sup> legislature. We did not reside in the same legislative district during our different years of service in the legislature and still do not today. We do not have any political, familial or personal connection with each other and never have.

(2) On April 28, 2010, Scott Bundgaard was scheduled to appear in the Desert Ridge court regarding a civil traffic matter. He called me early that morning and said he was out of town on business. He asked if the case could be continued. I told him I would need something in writing and he faxed a request to continue the case to the court. His hearing was rescheduled for June 11, 2010. (See Exhibit 11-159 B)

The June 11, 2010 hearing was rescheduled for July 9, 2010 because the DPS officer who cited Bundgaard was required to be in mandatory training on June 11, 2010. (See Exhibit 11-159 C)

The next communication the court received from Bundgaard was on July 9, 2010. Bundgaard faxed and emailed the court asking for a motion to continue the case because he was in Sacramento, California on work related business. I granted the continuance once the request was presented to me by staff. In this request, Bundgaard asked for a hearing date after August 24, 2010. He was granted a hearing date of August 27, 2010. (See Exhibit 11-159 D)

(3) I waived the fees based on the need to continue in order to prevent a *failure to appear* and the court's practice of efficiently adjudicating a case. I did not grant Bundgaard any special favor by waiving the fees. I have waived fees in any number of cases when it is necessary or requested in order to facilitate the closure of a case file.

Again, I thank the commission for the opportunity to answer the questions it has regarding my conduct as a judge. I look forward to working with the commission to resolve these cases. Please contact me if any further information is required.

Sincerely,

Judge Clancy Jayne  
Justice of the Peace, Desert Ridge Precinct

**From:** James Vance - MCJCX  
**Sent:** Wednesday, February 23, 2011 9:37 AM  
**To:** Clancy Jayne - MCJCX  
**Cc:** Kristina Fretwell - MCJCX  
**Subject:** FW: Breakfast with the Judge

Judge,

I finally received an answer to your query regarding your "Breakfast with the Judge" idea. Keith Stott of the Commission on Judicial Conduct replied in the affirmative with some caveats. Please see below.

Regards,  
Marty

James M. Vance  
Justice Court Administrator  
Maricopa County Justice Courts  
222 N. Central, Suite 210  
Phoenix, Arizona 85004

602-372-3601 Ofc.  
602-372-8793 Fax  
602-527-5194 Cell  
[jamesvance@mcjc.maricopa.gov](mailto:jamesvance@mcjc.maricopa.gov)

"To provide professional judicial services for court users so they can obtain timely and economical justice within their community"

EXHIBIT  
11-155A

## Clancy Jayne - MCJCX

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**From:** James Vance - MCJCX  
**Sent:** Tuesday, July 05, 2011 2:53 PM  
**To:** Clancy Jayne - MCJCX  
**Subject:** FW: Breakfast with the Judge

As you requested, Judge.

James M. Vance  
Justice Court Administrator  
Maricopa County Justice Courts  
222 N. Central, Suite 210  
Phoenix, Arizona 85004

602-372-3601 Ofc.  
602-372-8793 Fax  
602-527-5194 Cell  
jamesvance@mcjc.maricopa.gov

*"To provide professional judicial services for court users so they can obtain timely and economical justice within their community."*

---

**From:** Stott, Keith [mailto:KStott@courts.az.gov]  
**Sent:** Wednesday, February 23, 2011 9:21 AM  
**To:** James Vance - MCJCX  
**Subject:** RE: Breakfast with the Judge

Marty: There is nothing in the Code of Judicial Conduct that would prohibit this type of activity as long as the judge adheres to the code in general. For example, Rule 3.1 permits a judge to engage in extrajudicial activities as long as they do not interfere with the performance of the judge's judicial duties, lead to frequent disqualification of the judge, affect the judge's independence, integrity or impartiality or demean the judicial office, and so on. The judge should also be careful, as you pointed out, not to talk about specific court cases. -Keith Stott

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**From:** James Vance - MCJCX [mailto:jamesvance@mcjc.maricopa.gov]  
**Sent:** Thursday, February 17, 2011 4:51 PM  
**To:** Stott, Keith  
**Cc:** Clancy Jayne - MCJCX  
**Subject:** FW: Breakfast with the Judge

Mr. Stott,

Judge Clancy Jayne has requested guidance regarding the establishment of, and his participation in a program that he would like to institute, calling it "Breakfast with the Judge". The basic premise is that he would host a breakfast meeting at a location within his precinct, bring in outside speakers and invite the public to interact with him and the speakers regarding various topics. As you can see from the e-mail string, below, we requested a legal opinion from the County Attorney and they felt that you might best answer the question from a Judicial Canons standpoint.

Please consider and advise. If you would like to discuss this in detail, please call me at one of the numbers below. In addition, if I might have a few minutes of your time, I have another matter that I would like to speak to you about over the phone, at your convenience.

Regards,

Marty

James M. Vance  
Justice Court Administrator  
Maricopa County Justice Courts  
222 N. Central, Suite 210  
Phoenix, Arizona 85004

602-372-3601 Ofc.  
602-372-8793 Fax  
602-527-5194 Cell  
jamesvance@mcjc.maricopa.gov

*"To provide professional judicial services for court users so they can obtain timely and economical justice within their community"*

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**From:** Clancy Jayne - MCJCX  
**Sent:** Tuesday, February 08, 2011 2:38 PM  
**To:** James Vance - MCJCX  
**Subject:** RE: Breakfast with the Judge

Marty,  
Yes I would like to see if there is a plan or format that could allow me to conduct such a event.  
Not hearing NO is not a Bad thing.  
Clancy

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**From:** James Vance - MCJCX  
**Sent:** Tuesday, February 08, 2011 11:23 AM  
**To:** Clancy Jayne - MCJCX  
**Cc:** 'Brandon Newton'  
**Subject:** FW: Breakfast with the Judge

Judge,

The advice from the Deputy County Attorney follows. Would you like me to continue to pursue this?

Marty

James M. Vance  
Justice Court Administrator  
Maricopa County Justice Courts  
222 N. Central, Suite 210  
Phoenix, Arizona 85004

602-372-3601 Ofc.  
602-372-8793 Fax  
602-527-5194 Cell

jamesvance@mcjc.maricopa.gov

*"To provide professional judicial services for court users so they can obtain timely and economical justice within their community"*

**From:** Newton Brandon [mailto:Newtonb@mcao.maricopa.gov]  
**Sent:** Tuesday, February 08, 2011 8:07 AM  
**To:** James Vance - MCJCX  
**Subject:** RE: Breakfast with the Judge

After looking over the issue my office believes it would be best to seek guidance from the Commission on Judicial Conduct. I believe they can provide more controlling advice on judicial conduct compared to my office. If you have any questions, please let me know.

Brandon

The information contained in this e-mail is confidential (attorney-client privileged) and is intended solely for the use of the recipients listed above.

**From:** James Vance - MCJCX [mailto:jamesvance@mcjc.maricopa.gov]  
**Sent:** Friday, January 28, 2011 9:32 AM  
**To:** Jayne Clancy  
**Cc:** Newton Brandon  
**Subject:** Breakfast with the Judge

Judge,

In speaking with our attorney, Brandon Newton, about your proposed "Breakfast with the Judge", on first blush he felt that this might violate the canons in the area of impartiality and possibly one or two others. Even the use of outside speakers could be construed as promoting your point of view and thus appear less than impartial. He will look into it next week and render an opinion.

From my perspective I would have a concern that this would put you in a position to have to "retry" cases that you've heard when people attend and ask questions of you. Anyone with an "axe to grind" would have an opportunity to do so and it might also compromise your safety and the safety of others. A regularly scheduled meeting or even just advanced notice would allow for planning time for someone with a grudge to attempt to resolve it in an environment that is without security.

As your administrator and friend, I would be concerned for your safety.

Marty

James M. Vance  
Justice Court Administrator  
Maricopa County Justice Courts  
222 N. Central, Suite 210  
Phoenix, Arizona 85004

602-372-3601 Ofc.  
602-372-8793 Fax  
602-527-5194 Cell  
jamesvance@mcjc.maricopa.gov

*"To provide professional judicial services for court users so they can obtain timely and economical justice within their community"*

\$10,000.00. An eviction action or special detainer action is a landlord/tenant dispute for non-compliance of the rental agreement and for return of possession of the rental property.

[Click here](#) for more information on eviction action or special detainer actions.

### Other Civil Proceedings

The justice of the peace also hears cases involving livestock liens, disposition of vicious or mistreated animals and post-storage hearing claims (impounded automobiles).

Petitions for Orders of Protection, Injunctions Prohibiting Harassment and Injunctions Prohibiting Workplace can be filed and processed in any court in the State.

### Marriage Ceremonies

The Justice of the peace may also perform marriage ceremonies. Under the authority of the State of Arizona, the Justice of the peace is authorized to perform a marriage anywhere in the state. Some justice courts also issue marriage licenses.



© Superior Court of Arizona in Maricopa County November, 2010. All Rights Reserved.  
[Superior Court](#) [Justice Courts](#) [Adult Probation](#) [Juvenile Probation](#)



EXHIBIT  
11-155 B



ARIZONA DEPARTMENT OF PUBLIC SAFETY

# ARIZONA TRAFFIC TICKET AND COMPLAINT

Correctly mark  as  using a black pen

REPORT NUMBER

COMPLAINT **11421887** SOCIAL SECURITY NUMBER (  Same as DL # ) MILITARY  YES  NO  COLLISION  FATALITY  SERIOUS INJURY  COMMERCIAL  HAZ MAT  16 PASSENGER

DRIVER'S LICENSE NUMBER **B10990092** STATE **AZ** CLASS **D** ENDORSEMENTS **(M H N P T X D)** PRIMARY COMPLAINT NO.

NAME: FIRST **SCOTT** MIDDLE **ALLEN** LAST **BUNDGAARD**

RESIDENTIAL ADDRESS **21424 N 78TH DR PEORIA AZ 85382** CITY **PEORIA** STATE **AZ** ZIP CODE **85382**

MALE  FEMALE EYES **BLU** HAIR **SN** HEIGHT **6'2** WEIGHT **175** ORIGIN **W** DATE OF BIRTH (MM/DD/YYYY) **1/11/1968** RESTRICTIONS PHONE BUSINESS ADDRESS CITY STATE ZIP CODE BUSINESS PHONE

COLOR **Gold** YEAR **02** MAKE **Mercedes** MODEL **4D** STYLE **GFR** LICENSE PLATE **0393** STATE **AZ** EXPIR. DATE **2/15/11** VEHICLE IDENTIFICATION NUMBER (VIN) **98476**

REGISTERED OWNER (  SAME AS DEFENDANT ) ADDRESS

### THE UNDERSIGNED CERTIFIES THAT:

ON **3/23/2010** DATE (MM/DD/YYYY) TIME OF DAY **1410** SPEED **85** APPROX **65** POSTED **65** R&P **65** SPEED MEASUREMENT DEVICE  RADAR  LASER  VASCAR  OTHER EQUIPMENT NO. **779.5'** DIRECTION OF TRAVEL  NORTH  WEST  SOUTH  EAST

AT **SR 101** HIGHWAY MILEPOST **33.5** LOCATION  OFF-HIGHWAY PRECINCT **0725** COUNTY **01** STATE OF ARIZONA

### THE DEFENDANT COMMITTED THE FOLLOWING:

**A** SECTION **28-701A**  ARS  TRIBAL  CC VIOLATION **SPEED WAVE FINE**  DOMESTIC VIOLENCE CASE

DOCKET NUMBER **072010156059** DISPOSITION CODES **58/12** DISPOSITION DATE **8/27/10** SANCTION **\$185 + 30 + 20**  CRIMINAL  CRIMINAL TRAFFIC  CIVIL TRAFFIC  PETTY OFFENSE

**B** SECTION **-**  ARS  TRIBAL  CC VIOLATION **19/7/10**  CRIMINAL  CRIMINAL TRAFFIC  CIVIL TRAFFIC  PETTY OFFENSE

**C** SECTION **-**  ARS  TRIBAL  CC VIOLATION **-**  CRIMINAL  CRIMINAL TRAFFIC  CIVIL TRAFFIC  PETTY OFFENSE

**D** SECTION **-**  ARS  TRIBAL  CC VIOLATION **-**  CRIMINAL  CRIMINAL TRAFFIC  CIVIL TRAFFIC  PETTY OFFENSE

**E** SECTION **-**  ARS  TRIBAL  CC VIOLATION **-**  CRIMINAL  CRIMINAL TRAFFIC  CIVIL TRAFFIC  PETTY OFFENSE

COURT **DESERT RIDGE** COURT NO. **0725** COURT PHONE NO. **602-372-7660** COURT

**YOU MUST APPEAR AT** BUSINESS ADDRESS **18380 N 40 ST** CITY **PHX** STATE **AZ** ZIP CODE **85032**

**AT THE DATE AND TIME INDICATED** MONTH **4** DAY **28** YEAR **2010** TIME **8:30**  AM  PM

CRIMINAL:  Without admitting guilt, I promise to appear as directed herein.  VICTIM?  VICTIM NOTIFIED?  FINGERPRINTED?

CIVIL:  Without admitting responsibility, I acknowledge receipt of this complaint. I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.

**(X)** **SCOTT ALLEN BUNDGAARD** COMPLAINTANT **000003** BADGE NO. **26070100** LOCATION CODE NO.

You may visit [www.azdps.gov/courts](http://www.azdps.gov/courts) for additional court or traffic school information.

EXHIBIT  
11-159A



# faxZERO

Send a fax for free

#### Recipient Information

To: Eric  
Company: Desert Ridge Justice Court  
Fax #: 6023727912

#### Sender Information

From: Scott Bundgaard  
Company: 602-989-2144  
Email address: [scott@bundgaard.com](mailto:scott@bundgaard.com)  
Sent on: Wednesday, April 28 2010 at 1:42 PM CDT

This fax was sent using the FaxZero.com free fax service. FaxZero.com has a zero tolerance policy for abuse and junk faxes. If this fax is spam or abusive, please e-mail [support@faxzero.com](mailto:support@faxzero.com) or send a fax to 800-980-6858. Specify fax #3248030. We will add your fax number to the block list.

EXHIBIT  
11-159B

Desert Ridge Justice Court  
Maricopa County

Complaint Number: 11421887

**COMPLAINANT**

Desert Ridge Justice Court  
18380 N. 40<sup>th</sup> St  
Phoenix, AZ 85032

**DEFENDANT**

Scott Bundgaard  
21424 N. 78<sup>th</sup> Drive  
Peoria, AZ 85382

**Motion to Continue**

Defendant requests that the Court grant a motion to continue so that Defendant may finalize preparation for this case.

Date: April 28, 2010

Signature:



4/29 8:05 AM - CALLED DEF. HE STATED  
HE WAS REQ. CTH. TOLD HIM  
I'D MAIL JUNE 11<sup>th</sup> HANG DATE

EXHIBIT  
11-159B

ARIZONA DEPARTMENT OF PUBLIC SAFETY



ROBERT C. HALLIDAY  
DIRECTOR

FAX TRANSMITTAL COVER SHEET

**METRO PATROL BUREAU**

Scottsdale Office - 15600 N. 78<sup>th</sup> Street  
Scottsdale, AZ 85260  
(480)609-2180  
(480)609-2140 (Fax)

DATE: 5-25-2010  
TO: DESERT RIDGE  
FAX #: 602-372-7912  
FROM: D. FEAN (6603)  
NO. OF PAGES (Including cover sheet): 3

Comments:

IF YOU EXPERIENCE ANY DIFFICULTIES WITH THE TRANSMISSION OF THIS FAX,  
PLEASE CONTACT \_\_\_\_\_ AT EXTENSION \_\_\_\_\_

EXHIBIT  
11-159C



\* DESERT RIDGE Justice Court, Maricopa County, State of Arizona

STATE OF ARIZONA	vs. *	CASE NUMBER *
		CT2010156059
SCOTT A BUNGAARD	Defendant *	FELAN Officer Name *
21424 N 78TH DR	Address *	6603 Officer Badge *
City PEORIA STATE ZIP CODE PHONE ( ) -		26070400 Locator *

**NOTICE OF UNAVAILABILITY OF WITNESS TO APPEAR AT HEARING**

- Witness will be on vacation.
- Witness will be in mandatory training.
- Witness will not be available due to medical reasons.
- Witness will not be available due to family emergency.

Other \_\_\_\_\_

[Signature]  
Supervisor Signature

D. Felan 6603  
Officer's Signature

**ON THE COURT'S OWN MOTION IT IS THEREFORE ORDERED THAT A CONTINUANCE BE GRANTED/DENIED.**

Date: 6-4-10

[Signature]  
Judge

RESET FOR NEW HEARING AND  
NOTIFY BOTH PARTIES

Copies sent on \_\_\_\_\_ to:

- Defendant
- Defense Attorney
- Other

By: \_\_\_\_\_

**\* Mandatory Fields for Officers**

5/25 2:20pm emailed DEF.  
5/26 9:40am NOTIFIED DEF. - WILL FAX OBJECTION.

EXHIBIT  
11-159C

**Eric Daignault - MCJCX**

---

**From:** Scott Bundgaard [scott@bundgaard.com]  
**Sent:** Friday, July 09, 2010 12:11 AM  
**To:** Eric Daignault - MCJCX  
**Subject:** Re: Desert Ridge Justice Court  
**Attachments:** PastedGraphic-2.tiff; ATT00001.htm; PastedGraphic-1.tiff; ATT00002.htm; PastedGraphic-3.tiff; ATT00003.htm; Desert Ridge Justice Court Motion to Continue 07-09-10.pdf; ATT00004.htm

Hello Eric,

I'm in Sacramento on work-related travel and am asking the Court to grant this request for a Motion to Continue. May I suggest a date after August 24, 2010? When the date was set for this hearing, I was unable to secure a guarantee from my employer that this date would remain clear of any work-related conflicts. I apologize for the lateness of this request.

Thank you for your consideration.

**Scott Bundgaard**

EXHIBIT  
11-159 D

**Maricopa County Justice Court, Maricopa County**

**Desert Ridge Justice Court**

Case Number: **CT2010-156059**

Complaint No.: **11421887**

**COMPLAINANT**

State of Arizona

**DEFENDANT**

Scott Bundgaard  
21424 N. 78<sup>th</sup> Drive  
Peoria, AZ 85382  
602-989-2144

**Motion to Continue**

**Notice of Unavailability of Defendant to Appear at Hearing**

Defendant requests that the Court grant a Motion to Continue because Defendant had an existing conflict on this date due to work-related travel.

A Motion to Continue was granted to Officer Felan on June 06, 2010 due to a work-related obligation. Defendant requests that the Court grant this Motion to Continue due to the unavailability of the Defendant to appear at the hearing scheduled for July 09, 2010 at 08:30a.

*Defendant states under penalty of perjury that the foregoing is true and correct.*

Date: July 08, 2010

Signature:



EXHIBIT  
11-159 D