

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 11-186

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Complainant: No. 1423210942A

Judge: No. 1423210942B

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**ORDER**

The complainant alleged that a superior court judge did not allow her to present her case and issued a ruling that contradicted an earlier decision made by another judge . The complainant also alleged the judge was rude, racially biased, and unfair.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After reviewing the information provided by the complainant and the recording of the hearing, the members of the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission has no jurisdiction to determine the legal sufficiency of the judge's decisions. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: November 3, 2011.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on November 3, 2011.

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

**CONFIDENTIAL**

State of Arizona

Commission on Judicial Conduct

1501 W. Washington Street, Suite 229

Phoenix, Arizona 85007

**FOR OFFICE USE ONLY**

**2011-186**

**COMPLAINT AGAINST A JUDGE**

Your name:

Judge's name:

Date: 7-25-11

**Instructions:** You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

ON July 12, 2011 I SAT in the Court room of  
The Judge Sworn All the Witnesses in AND proceeded with the  
Case. The way I was Treated by this Judge was prejudice.  
He Allow the Plaintiff to show AND present his paper work,  
which he had An Attorney AND I Didnt. When I asked the  
Judge if I could present All my paper work he refused. saying  
he didnt need to see anything because he already knew what  
he was going to do this Case would be easy. This same  
Case went before a Judge in January of 2011 in Wislaw AZ  
AND because of the paper work I presented, the Judge then  
went over All the paper work AND he ruled in my favor.  
I believe that Judge \_\_\_\_\_ was very rude AND prejudice  
against myself AND my witness because we didnt have  
legal counseling or should I say legal representation we were  
treated very differently Also being a Black woman going  
before this Judge he then order that I be out of my  
home in 5 days, I have been there for 8 years! He didnt  
want to hear what my witness had to say or like I said  
look AT All my paper work for this situation. No one should  
have to go through what I went through in this Court room,  
whether you have Money or NOT, AND it's like this Judge  
Already knew About the case before we got there. I also  
wrote a letter to the Judge expressing how I felt we were  
treated. The letter came back to me by his JUDICIAL ASSISTANT  
saying (copy enclose). So there is no way of letting this  
Judge know how his conduct was AND I think that's

(Attach additional sheets as needed)

Wrong, And I hope you All can (Page 2)  
Look into this complaint And I will Also contact  
the NAACP because they Also need to know how  
people of color are being treated in the Superior  
court of Navajo County. Thank you



**RALPH HATCH**  
Superior Court Judge  
Division I



Heather Smith  
Judicial Assistant

July 18, 2011

RE: Letter received July 15, 2011

Mary Alice Hayes  
201 Madison St.  
Winslow, AZ 86047

Dear Ms. Hayes:

The foregoing item was received by this office but not given to the assigned Judge because it was not properly filed with the Clerk of the Court. All pleadings need to be in proper legal format, filed with the Clerk of the Court (PO Box 668; Holbrook, AZ 86025), with copies to all parties involved. Also, only the parties that have entered an appearance and paid a filing fee are able to file pleadings in a case. Enclosed is a blank pleading form that you can complete and file. After the pleading(s) have been filed with the Clerk of the Court, the file will be given to the Judge for review.

Thank you,

A handwritten signature in cursive script that reads "Heather Smith".

Heather Smith  
Judicial Assistant

Encl. Blank Pleading Form