

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-278

Complainant: No. 1228310691A

Judge: No. 1228310691B

ORDER

The complainant alleged that a superior court commissioner made repeated misstatements during several hearings and was generally unprepared and incompetent in the relevant law. He further alleged the commissioner made inconsistent rulings and changed his decisions improperly and repeatedly.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 listening to the recordings of all the hearings, the commission found no evidence of ethical misconduct and concluded that the commissioner did not violate the Code in this case. The commission does not have jurisdiction to investigate the legal sufficiency of the commissioner's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: December 20, 2011.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on December 20, 2011.

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

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007
www.azcourts.gov/ethics

October 12, 2011

I could not use your online form so I'm sending this complaint.

This complaint is against Commissioner Case No. ST 2010-
hearing dates were: May 17, 2011, in court; July 29, 2011, via
telephone; and September 7, 2011; Arizona Superior Tax Court, Suite 007, Courtroom
005, Superior Court of Arizona in Maricopa County, 125 W.
Washington, Phoenix, AZ 85003. These "hearings" were supposedly recorded for the
Public Record.

I think the case is over, but, I do not know if it is still pending or not because is too
dingy to know what he is doing or will do. Because of a statement
made by the lying, sneaking, cheating, stealing and crooked coconino county attorney,
and his underlings, I believe the case may still be pending.

I don't know the names, addresses and telephone numbers of the witnesses who observed
and defense attorney in appropriate conduct, however, approximately
20 people were in the court room watching and listening to the silliness that went on! You
can get their information from the court records. I filed an objection to that farce with the
defense attorney and that dingaling I told them I would file complaints against all
of them! I sent a letter of complaint to the Presiding Judge
Phoenix, AZ 85003-2243. He recommended I file a
complaint with you.

On September 21, 2011 I filed the following complaint with Presiding Judge Norman J.
Davis:

I checked the Internet and found that you are best known for presiding over
in , when that strife-torn court was overhauled and modernized. I hope you
are the person who will step up to the task of correcting a serious problem in the Superior
Tax Court. You have a commissioner that may be senile, have dementia, or the beginning
of Alzheimer's either that or he is an incompetent liar. This commissioner sometimes
babbles inconsistently and incoherently, sometimes declaring one position then, in the
same breath, switches to the opposite position, then back and forth making it impossible
for anyone listening to understand what he is talking about. He can't remember what he
said a few minutes ago let alone what he said weeks or months ago. To cover for his
inability to remember and communicate he bullies the Plaintiff and Defendant. That is not

acceptable! Now that he has made his "final ruling", which, again, had little to do with what actually happened in "court", I want to know what you will do about him and how to file complaints against him. I shall give you all of the information about this case, so you can learn all of the facts but I want you to assure me that I will be protected from any action from that nut case

My complaint is against _____, Case ST
 regarding courtroom hearing on _____ telephone hearing on July
 , and courtroom hearing on _____

The Facts: Prior to the hearing I had asked if I could record the hearing. The clerk left the court, then returned and told me the _____ said, "The court will provide you with a copy of the recorded hearing." However, later when I tried to get the court to send me a copy of the recording of the hearing the commissioner's assistant refused!

On May 17, 2011 _____ started the trial part of the hearing without swearing in the Plaintiff or Defendant! AND, it went down hill from there! During that hearing _____ made rambling, inconsistent and incoherent statements that no one could understand. I cited a specific US law to commissioner _____ Without knowing anything about the law or looking it up he made an immediate ruling that was contrary to that law! By that time I was well aware that there was something wrong with _____ thinking and hearing abilities. I tried my best to make sure he knew what the matter was all about. I pointed out that I was not only suing to get my property value lowered to a reasonable amount, but, that I was also suing because the County Assessor had the wrong classification on my property. _____ agreed that we had two issues to resolve, the valuation and the classification of the property _____ said the two issues would be handled separately. I tried to point out that within the classification there was also the issue of whether the property was "improved" or "vacant". He had asked me and the defendant to try to settle on the valuation part of the matter and told us we would have another hearing on the classification. The three defendants left the court room to discuss what they wanted to do. When they returned they immediately offered to lower the valuation from \$130,000+ to \$35,000. I told them though I had recently paid \$24,000 I would agree to \$30,000. They immediately accepted my counter settlement. _____ ruled that our settlement ended the valuation part of the matter. I had asked for court costs, expenses and fees, but, _____ did not discuss that matter. I wanted to bring this point up again, but, the hearing had taken two hours and ended at 5:00 because the court building was being closed down and _____ was in a hurry to go somewhere else. I was angry about being cut off because I had a lot more to say about the matter!

The Defendant's lawyer and I tried to meet the demands _____ had made during that first hearing and discussed the classification of my property. We could not agree. During the second hearing done by telephone on _____ claimed he thought the matter had been finished at the first hearing. Because of _____ incompetence both the Defendant and I tried to get him to shut up and listen to what we were telling him, which was basically that we were doing exactly what he had told us to do during the first hearing. Both the Defendant and I told

deny the motion for summary judgment, then I will take the evidence that was presented here at trial and make a decision on the classification issue. Any objection to that?" Excuse me, but, didn't he earlier say he had already looked at the "pleadings and statutes"? Either he lied, or he has already forgotten them! Defendant said, "Yes your honor." said, "What's your objection?" Defendant said, "My objections is that this was set for solely for oral arguments and and... said, "I thought we set em both for today." Defendant said, "No we did not. We only for oral argument. I specifically asked the court to set them separately so that I would not have to prepare for a trial..." said, "Then then if I did it that way then that's fine. All right." Plaintiff said, "You didn't do it that way your honor. You didn't answer. That's why I wrote in there that I objected to it." There was other discussion between Plaintiff and defendant. said, "Where's the I need to pull the. Hold it everyone! (He specifically looked at me!) I recall and if its not in the minute entry I know from my recollection that I did decide that we would do it separately. And she's entitled to do it separately." Excuse me! But! How many times does this incompetent jerk get to change his mind while relying on his totally dysfunctional "memory" takes him down a new path? During the telephone hearing he did not say one way or the other! Now, one minute he says we will have the hearing and the trial, then reverses himself, then relies on his faulty "memory" to remember what he thought he said weeks ago! This certainly sounds like senility, dementia or Alzheimer's to me! Then he contradicted statements he had made only minutes ago and decided there would be no trial. decided his "intention" was to separate this hearing and a trial! Well, I don't give a damn what his "intention" was when he did not make his "intention" clear and any time to anyone! What kind of kangaroo court is this!! went with the defendant anyway because is another corrupt government crook who will do whatever he can to protect and defend other incompetent and corrupt government crooks and lying lawyers!

However, allowed additional argument that would have been used in the trial! But he only allowed limited additional discussion because he was in a hurry to get on with other matters. No one can get a fair trial in kangaroo court!

At 52:07 Plaintiff asked, "We're not going to present other evidence now?"

, "Nope. If you have things you want to present you can present it, but, today's not the date of the trial, because I'm going to make a ruling on the motion first."

"But you need to start wrapping it up because I have a lot of other people I need to see today." Arrogance and bullying is not appropriate in a !

53:05 Plaintiff, "Well the only other thing I said I have that I wanted to present, and I tried to be very concise with, is this information about the other comparable properties that I think are like mine, and I would more than happy ..." (interrupted by that arrogant)

53:20 "Then have it marked as an exhibit, and you can present it."

54:09 "And this is ah, this is what you've already talked about isn't it? Which is the

argument that other parcels are getting agricultural classification and your not getting agricultural classification?"

Defendant said, "That's correct."

"Isn't that the purpose of these document sir?"

Plaintiff, "Yes."

"That's correct."

55:04 "(to the defendant) Council I'm assuming that since you've already seen it, and you provided it to him, and he's referenced it in this argument today, that you have no objections to it. Is that correct?"

Defendant, "Okay."

"Exhibit 1 in support of Plaintiff's motions and in support of his response to the county's motion is admitted, there being no objections to it, the court will consider it, has already heard the argument about it, but will take a look at the numbers and the pictures and so forth that are presented with it." That statement was exactly the opposite of what had said earlier! This arrogant and incompetent brain dead idiot does not listen Plaintiff, Defendant, nor to what he says and therefore contradicts himself within seconds or minutes of making a statement or ruling!

bullied Plaintiff and Defendant in order to get his way when everyone in the court room could see that was the person at fault! finally decided to take the matter under advisement, whatever that means to him. No one knows what will come up with next because he is so totally scatter brained that he has no business making important decisions for or about the poor individuals subjected to his arrogance, incompetence, lying and faulty memory!

Then in his Minute Entry, wrote, " is sworn and testifies." (The jerk can't even get my first name correct!) Now, during the September hearing, presented above, didn't say there would be no trial? However, is so confused and brain dead he now thinks I was sworn in and testified! This is the second time thought someone was sworn in and testified when in fact never at any time has anyone been sworn in at any of his hearings on this matter! He said nothing about the fact that I had repeatedly demanded he rule on whether my property was "improved" or "vacant" nor that I had asked for court costs, expenses and fees. However, in the phony "judgment" the lying defendant, prepared she included matters not ruled on or discussed by that incompetent I object to her point 3. on page two, because though I brought it up in documents in and court that incompetent never discussed it nor ruled on it. and I object to her point 5. on page 2 because again, though I had brought it up to that incompetent fool had never discussed it nor ruled on it.

I fully intend to file a complaint against

How do I do this?

I know one thing for sure! Lawyers are multifaceted liars! They lie not only when their lips are moving. they lie when they write, and/or when they think. I have proven that about _____ over and over during this case and with only one exception _____ did nothing about the lying of all of the defendants, _____ County Assessor, Treasure and Attorney! All of which I intend to get recalled! I made it clear to all of them that I shall do a documentary on this matter to show the public what a bunch of lying, cheating, thieving crooks all of them are!

Please contact me at _____ and tell me what you are going to do about _____ and how I can proceed against him.

Sincerely,