

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 11-298

Complainant: No. 1431910956A

Judge: No. 1431910956B

ORDER

The complainant alleged that a justice of the peace issued improper rulings and ignored the law.

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 allegations, the judge's response, and the recording of the hearing in question, the commission decided to dismiss this matter with a private advisory comment to the judge. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: April 6, 2012.

FOR THE COMMISSION

/s/ Louis Dominguez

Louis Frank Dominguez
Commission Chair

Copies of this order were mailed to the complainant and the judge on April 6, 2012.

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

2011-298

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name

Date: 11-21-11

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 11-2-11 at 0930, I appeared in court before Judge [redacted] at Pinal County Justice Court Precinct #2 in reference to case # CV2011- [redacted] (owner). [redacted] claims that a 1999 Dodge Ram 2500 owned by [redacted] Vehicle V.I.N. [redacted] was left as collateral for work that was done on a 2003 Jeep Liberty owned by [redacted] work which was completed on 6-29-11. There is no signed document by either party to this affect, Plaintiff or Defendant.

The defendant arrived in court with a typed Storage fee bill of \$3075.00 for the plaintiff and also a letter stating supposed contact via telephone with [redacted] concerning this debt. The letter was signed by [redacted] and dated 11-02-11.

Judge [redacted] accepted this document in to evidence. After hearing Testimonies from witnesses for the Plaintiff [redacted] Lien holder [redacted] (spouse of Plaintiff) and [redacted]

and receiving letters from medical doctors describing the hardship an stress to her on going medical condition.

The Lien holder on the 1999 Dodge Ram 2500 VIN [redacted] clarified that she did not authorize any usage of said vehicle as collateral. Judge [redacted] stated that had no bearing on the case and that was between her and the Plaintiff. After all testimonies an evidence was submitted to the court, Judge [redacted] stated he would review all testimonies an evidence and he would mail out his ruling Court adjourned.

On 11-05-11 a letter was received from the Justice of the Peace office with Judge [redacted] findings [redacted]

(Attach additional sheets as needed)

To: Whom it may concern

FROM:

Date: 11-25-11

RE: CV11-

On 11-02-11 Judge Justice of
the Peace Pinal County Precinct #2 heard case
#CV11- vs-
Repair.

appeared with 4 witnesses
to include myself
(Lien holder), and
There was also letters from
doctors stating the medical condition of
and the stress that this situation has
brought to her condition.

Judge received these letters along
with testimony from Lien holder
of the vehicle in question and also testimony
from who has provided transport-
ation for to and from Doctors
appointments an treatments and transportation
for son back an forth to school.
Judge stated that this had no
bearing on the case.

of
Repair brought a letter for supposed storage
fees owed by in the amount
of \$3,075.00 for storage of a 1999 Dodge
Ram VIN#

There was no written contract or reason for this debt to have occurred.

Repair did no type of work on this vehicle, as stated in the court paperwork.

At the end of the hearing Judge stated that after he reviews the evidence, he would mail out his decision to the plaintiff -

and the defendant

Repair,

During the duration of the hearing it appeared and sounded that as if whatever statements or written reports the plaintiff had submitted were treated as if they had no bearing on the case as previously stated by honorable

Respectfully,

11/28/11

2011-298

To whom it may concern,

My name is _____ and I am the
third party involved in case CV 11-

vs.

Repair. I was out of town on a job and was not able to attend hearing. I also was never subpoenaed for the hearing. If I had known that I could be held liable for anything I believe I should have had the opportunity to present my side and honestly did not think it involved me as I had already tried as did Mrs. _____ to settle with _____ and he denied payment. Judge was unfair in his judgement without hearing my testimony in regards to what happened with this case. Please feel free to contact me with any questions regarding this case.

Thank you