

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-095

Complainant: No. 1419410259A

Judge: No. 1419410259B

ORDER

The complainant alleged that a superior court judge improperly dismissed his lawsuit.

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, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to investigate the legal sufficiency of the judge's rulings. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: June 7, 2012.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on June 7, 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

2012-095

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 4-19-2012

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.

1. JUDGE : AGREED WITH IN FORMA-PAUPERIS
RES JUDICATA, ACTION BY ^{ATTY.} WZTM FIRM

2. THE COURT CONCURS WITH DEFENDANT THAT PLAINTIFF'S
CLAIMS ARE BARRED BY RES JUDICATA. YES! IN FEDERAL IN FORMA-PAUPERIS.

3. MY CASE IS NOT BARRED BY RES JUDICATA IN CIVIL STATE
COURT OR DISTRICT-FEDERAL COURT, AS LOAN I PAY THE FILING FEE'S.
\$350⁰⁰ FOR FEDERAL AND \$327⁰⁰ FOR STATE COURT.

4. RES JUDICATA MEANING: DOUBLE JEOPARDY. THE FIFTH AMENDMENT TO
THE UNITED STATES CONSTITUTION PROVIDES IN PART THAT "NO PERSON
SHALL BE SUBJECT TO THE SAME OFFENSE TO BE TWICE PUT IN
JEOPARDY OF LIFE OR LIMB. DOUBLE JEOPARDY HAS BEEN RAISED IN
PUNITIVE DAMAGES CASES WHERE SOMEONE IS SUBJECT TO PUNITIVE DAMAGES,
AND ON THE SAME FACTS, THE PERSON HAS BEEN INDICTED, FINED, OR CONVICTED
IN A CRIMINAL ACTION. THE ISSUE IS WHETHER AN ACT WHICH SUBJECTS THE
PERSON TO BOTH PUNITIVE DAMAGES AND CRIMINAL PROSECUTION VIOLATES
THE PRINCIPLES OF RES JUDICATA MEANING=DOUBLE JEOPARDY. SOUCY V. GREYHOUND,
27 A.D2d 112, 276 N.Y. 52d 173 (1967). PLUS VIOLATED MY 5TH AMENDMENT.

5. CODE OF JUDICIAL CONDUCT VIOLATION BY JUDGE HE AND
THE COURT CONCURS WITH DEFENDANT THAT PLAINTIFF'S CLAIMS ARE BARRED BY
RES JUDICATA. AND DISMISSING THIS MATTER WITH PREJUDICE. THE COURT WILL TAKE
NO ACTION ON PLAINTIFF'S MOTION FOR ORAL ARGUMENT, FILED 12-29-2011. DATE: 4-2-2012