

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-150

Complainant: No. 1253210394A

Judge: No. 1253210394B

ORDER

The complainant alleged a justice of the peace demonstrated bias toward him in his landlord/tenant case.

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 thoroughly reviewing all of the information provided by the complainant and the judge's response, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The only involvement the court had in the case was to refer it to arbitration. Accordingly, the complaint is dismissed in its entirety pursuant to Rules 16(a) and 23.

Dated: November 29, 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 November 29, 2012.

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

STATEMENT OF FACTS

Instructions: Please use this form or plain paper of the same size to explain your complaint. In your own words, describe specifically what the judge did that you believe is misconduct. You should provide all of the important names, dates, times and places related to your complaint, but you do not need to cite the applicable canons of judicial conduct. Although you may attach additional pages, do not write on the back of any page. You may attach copies of any documents you feel will help us understand your complaint.

Your name: _____ Judge's name: _____ Date: _____

Judge _____ does everything he can to do me wrong. I took a signed notice signed by a tenant and the clerk said she could not accept any papers from me if it was not certified because of orders from Judge _____ I told the clerk fine I will have to complain to Phoenix. The next day the clerk called and said I could file the papers. I asked for protection from a tenant that tried to blow up one of my trailers with a propane tank just because I evicted the tenant and Judge _____ said he needed documentation. On October 10th a potential tenant went to Judge _____ to get back a deposit because the potential tenant breached the contract and wanted the deposit back and Judge _____ did not ask the potential tenant for any documentation but just said yes you have a case and gave papers to sue me.(CV2011 _____) I should have been the one taking the potential tenant to court for breach of contract but judge _____ let the potential tenant take me to court first. The potential tenant was in breach of contract and owed me at least one month's rent which the potential tenant never paid. The only purpose for a deposit is to not lose a month's rent if the person decides to not rent after telling other potential tenants that the unit is already rented. A deposit is not just money that you hold until the person makes up their mind. If that was the case there would not be a deposit. Now I can no longer accept a deposit to hold a unit because this is a small town and everyone in town will know that they can just run to Judge _____ and get the deposit back even if I lose a month's rent because they breach the contract. This is a constant battle with Judge _____ I don't know what I did to make him be this way. Maybe I evicted a family member and he just wants to get back. I don't know. I sent Judge _____ a letter explaining how he was wrong and I was right. Judge _____ realized he was wrong and did not want to confront me in court so he sent my case to arbitration. The arbitrators did not know the law or have the law in front of them to correctly judge the case. I loaned the arbitrators my copy of the law but they didn't understand what they were reading. I am not trying to change judgment I know the judgment is final. I just want someone to stop Judge _____ from being biased against me. A judge should be impartial and treat all people with the same rules.

(Attach additional sheets as needed)