

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-274

Complainant:	No. 1452910988A
Judge:	No. 1452910988B

ORDER

The complainant alleged that two justices of the peace should have known that the actions by city animal control officers against her were illegal and constituted criminal conduct.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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 judges did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of the judges' rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: November 15, 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 15, 2012.

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

COMPLAINT AGAINST A JUDGE

I am writing regarding the conduct of Judge _____ of Lake Havasu City, AZ. I believe that Judge _____ should be held responsible for ethics violations as well as charged with "obstruction of justice" in this matter due to the following issues.

Lake Havasu City Consolidated Court, Judge _____ heard case, #MCR2012-_____, on June 25, 2012, regarding "Dog Restraint Violation". This matter involved an incident in which Lake Havasu City Animal Control responded to a supposed report of "dogs at large" at my address. Former Animal Control Manager Mike Ruelas, acted as witness for the Plaintiff. I believe that Judge _____ should have known that the actions of Animal Control/WAHS/Lake Havasu City Police Department of May 11, 2012, were illegal. I believe that Animal Control/Lake Havasu City Police Dept. committed the crimes of Trespass, Vandalism, and Animal Abuse (see Police Report _____) regarding their actions of May 11, 2012. I also believe that Victoria Cowper committed "Theft of Property" regarding the illegal withholding of my dogs on May 12, 2012 (see Police Report _____).

Judge _____ should have known that the Plaintiff in this matter did not come to court with "clean hands". Mike Ruelas of Animal Control offered perjured testimony, a fact of which I made Judge _____ aware. Also, Kristen Reinfeld, City Attorney, was supposed to be responsible for a criminal background check on the Plaintiff, Mike Ruelas. The judge should have been aware of this report, and considered it in his decision. I do not believe it was presented to him.

Also, I found that Judge _____ is not even a licensed attorney in Arizona. He is a "pro tem" judge, who seemed confused and unqualified to be presiding over the court. I have questions as to his background and qualifications. I have been unable to ascertain any background information on this judge.

I did not even have an attorney representing me in this matter. The charges were confusing (Judge _____ added an old case regarding licensing of my dogs from 2011). I was seriously ill and had been arrested on what I believe are false charges by the Lake Havasu City Police Department regarding a charge of trespass at WAHS on May 12, 2012. (I simply went to the WAHS shelter parking lot to try to take my dog, Ruby, to an emergency veterinary appointment).

I have brought this matter to the attention of the FBI and Department of Justice. I have retained an attorney and hope to file a civil action against Lake Havasu City. I have brought this matter to the attention of several other government officials and agencies. I contacted the City Manager, Charles Cassens, on several occasions since this matter began. I have also filed a complaint with the Arizona Peace Officer Standards and Training Board regarding the conduct of the Lake Havasu City Police Department in this matter.

The records that I received from the City Attorney regarding this matter were inaccurate, often unsigned, or unstamped by the Court. According to the law, my dogs should have been released to me upon my request. By Judge _____ decision of June 25, 2012, custody of my dogs was (illegally)

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awarded to the Western Arizona Humane Society. Judge also issued a \$1,323.80 fee for “restitution” regarding this case. I have no idea what this fine is for, and don’t believe it is a valid penalty for a dog “restraint violation”. I have been unable to get my dogs returned, and filed a police report for theft.

It seems that this is an example of corruption within the City of Lake Havasu. I plan on filing a civil suit against the City in this matter. I hope that you can assist me in prosecuting this Judge for ethics violations, and refer me to the proper authority for charges against the Judge for “obstruction of justice”. I expect that you will discipline the Lake Havasu City Court for his improper and unethical actions in this matter. I will look forward to your response.

Thank you.

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Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

COMPLAINT AGAINST A JUDGE

I am writing regarding the conduct of Judge Mitchell Kalauli of Lake Havasu City, AZ. I believe that Judge Kalauli should be held responsible for ethics violations as well as charged with "obstruction of justice" in this matter due to the following issues.

In Lake Havasu City Consolidated Court, Judge Mitchell Kalauli heard case, #MCR2012-00720, on June 4, 2012, regarding "Dog Restraint Violation". This matter involved an incident in which Lake Havasu City Animal Control responded to a supposed report of "dogs at large" at my address. Former Animal Control Manager Mike Ruelas, acted as witness for the Plaintiff. I believe that Judge Kalauli should have known that the actions of Animal Control/WAHS/Lake Havasu City Police Department of May 11, 2012, were illegal. I believe that Animal Control/Lake Havasu City Police Dept. committed the crimes of Trespass, Vandalism, and Animal Abuse (see Police Report #1-12-006704) regarding their actions of May 11, 2012. I also believe that Victoria Cowper committed "Theft of Property" regarding the illegal withholding of my dogs on May 12, 2012 (see Police Report #12-012455).

Judge Kalauli should have known that the Plaintiff, Mike Ruelas, did not come to court with "clean hands". Mike Ruelas of Animal Control offered perjured testimony, a fact of which I made Judge John Kalauli aware. Judge Kalauli should have known that the actions of Mike Ruelas and the Western Arizona Humane Society were illegal. They had no right to withhold my animals. There are recordings by law enforcement of my conversations with the police and animal control (of May 11, 2012) directing them not to enter my home.

I did not even have an attorney representing me in this matter. The charges were confusing. Judge Dailey, who filled in for Judge Kalauli in the June 25, 2012 hearing, added an old case regarding licensing of my dogs from 2011. I was seriously ill and had been arrested on what I believe are false charges by the Lake Havasu City Police Department regarding a charge of trespass at Western Arizona Humane Society on May 12, 2012. (I simply went to the WAHS shelter parking lot to try to take my dog, Ruby, to an emergency veterinary appointment).

I have brought this matter to the attention of the FBI and Department of Justice. I have retained an attorney and hope to file a civil action against Lake Havasu City. I have brought this matter to the attention of several other government officials and agencies. I contacted the City Manager, Charles Cassens, on several occasions since this matter began. I have also filed a complaint with the Arizona Peace Officer Standards and Training Board regarding the conduct of the Lake Havasu City Police Department in this matter.

The records that I received from the City Attorney regarding this matter were inaccurate, often unsigned, or unstamped by the Court. According to the law, my dogs should have been released to me upon my request of May 12, 2012. By Judge Kalauli's decision of May 21 2012, and June 4, 2012, my dogs were able to be withheld from me (illegally) by the Western Arizona Humane Society. I have been unable to get my dogs returned, and filed a police report for theft.

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It seems that this is an example of corruption within the City of Lake Havasu. I plan on filing a civil suit against the City in this matter. I hope that you can assist me in prosecuting this Judge for ethics violations, and refer me to the proper authority for charges against the Judge for "obstruction of justice". I expect that you will discipline the Lake Havasu City Court for his improper and unethical actions in this matter. I will look forward to your response.

Thank you.

Christine Frisancho