

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 12-316

Complainant: No. 1456010229A

Judge: No. 1456010229B

ORDER

The complainant alleged that the staff at a justice court treated her improperly and that a justice of the peace screamed at her and assaulted her when she attempted to obtain public records.

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 review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission approved sending the judge a private warning letter regarding his handling of difficult situations. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: February 27, 2013.

FOR THE COMMISSION

/s/ Louis Dominguez

Louis Frank Dominguez
Commission Chair

Copies of this order were mailed to the complainant and the judge on February 27, 2013.

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

012-316

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 11/28/12

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.

Yesterday on 11/27/12 at around 1:30-2:00 pm I arrived to the Justice Court to pick up a records request for work. I have been coming to this court for 1 year now without any problems. I do this for work so this is not the only court that I go to at the Downtown Justice Court Center. I am there almost everyday picking up documents. The Justice Court Clerk, Supervisor, and Judge is who I'm filing this complaint on.

When I arrived I gave the clerk my records request and she was very rude and unhelpful. She stated I would need to come back the next day and I told her I could not do that because my work (Accusarch Inc.) needed those records back today. She then rolled her eyes and asked if I could step aside. She also stated that I could be a little nicer. I was very cooperative and stated I did not want to get into any arguments with her and asked for her supervisor's phone number. She came back she grabbed her supervisor and then came back to the window. The supervisor did not let me speak as she started saying I did not need to be difficult with her clerk if I wanted service. I stated she was very rude and was not wanting to help me. The supervisor (Susie?) let me know

(Attach additional sheets as needed)

Page 1 of 5

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2012-318

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name

Date: 11/28/12

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.

hand. At this time the Judge was like "What is your name"? Still mad and shouting at me. I was like "huh? Why do you need my name?" He then just yelled even louder "WHAT THE — IS YOUR NAME"? Before I could even answer the Judge said "you know what I'M NOT PLAYING WITH YOU!!!" Then he reached across the counter very violently, grabbed my hand and yanked my keys right out of my hand which gave me a cut and a little bruising. I was stunned and shocked that this could happen and that a judge could display this type of behavior in front of everyone. I then started to say "what are you doing?!? Can I just have my keys so I can go?" He said no and was basically holding my keys as collateral until I gave him my name. From that point I had no control over the situation and was apparently banned from that courthouse by that judge and escorted to the front door by security. The judge laughed and stated "YOU NEVER COMING BACK!! HAHAHA!!" which was taunting me. As I'm being escorted I'm still being cooperative. I'm waiting by the front door shocked that all this happened. The security then told me if I don't leave they will have to call the Deputy. I asked them if

(Attach additional sheets as needed)

pg 3. of 5

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2012-318

COMPLAINT AGAINST A JUDGE

Your name:

____ Judge's name

Date: 11/28/12

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.

they could please call him so I could talk to someone about what just happened. At this time I was waiting and a woman named _____ came up to security stating she just witnessed everything that happened and the ~~case~~ clerk lady was very rude to her and her daughter also just a few minutes before I was helped. She then stated she would be a witness if I needed her and provided me with her name and phone number. The deputy then arrived and made me leave. I asked him repeated times is the judge allowed to put his hands on me or yank my personal belongings away from me? He stated no but did nothing about it. No report nothing! So I left and went back to work and called the Phx Police Dept. They came out and said there was nothing they could do because unfortunately that court house is out of their jurisdiction. So here I am writing this complaint against the judge for his actions that were displayed yesterday. He got physical with me and in my eyes crossed the line. It is sad that people with high power think they can treat a customer this way. The videotape will show exactly what happened and how I am telling the truth. I have never seen a judge with that demeanor and would

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2012-318

COMPLAINT AGAINST A JUDGE

Your name:

Judge's name:

Date: 11/28/12

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.

like to see some action done for future customers and the justice system. This was unlawful and also unethical for him to do. The Judge should not be allowed to do whatever he wants and act crazy. I will provide the witness's name and phone number along with a picture of my hand that has the cut and bruising. I appreciate you looking into this. I feel everything got turned around on me because I asked for a supervisor's name and number. All of a sudden they want my name and number? The Judge did not have to assault me or hold my keys for collateral to get it. My name and company name was in their hands on the record request paper that they never gave back to me!! Sad that the court judge would act this way. My question is why did he come up and ~~talk to me~~ yell at me in the first place? Where was the manager when all this was happening?

I have no reason to deal with the judge which really boogled me. I didn't even know who he was! I am now left with a hurt right hand. Please contact me if you have any questions or if I can further assist you with this. Thank you,

11/28/12

(Attach additional sheets as needed)

Pg. 5 of 5