

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-021

Judge:	No. 1461010655A
Complainant:	No. 1461010655A

ORDER

The complainant alleged that a justice court hearing officer improperly accepted evidence without providing him an opportunity to view the documents, did not allow him to fully present his case, and made an arbitrary decision.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the hearing officer 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 all of the information provided by the complainant, the hearing officer's response, and the audio recording of the hearing, the commission found no evidence of ethical misconduct and concluded that the hearing officer did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: May 24, 2013.

FOR THE COMMISSION

/s/ George Riemer

George A. Riemer
Executive Director

Copies of this order were mailed
to the complainant and the judge
on May 24, 2013

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

02/01/2013

Complaint against:

Case:

I am asking that the decision in this case be set aside and a new hearing set.

The ; issued a decision based on questionable facts. I am requesting that he explain his reasoning in writing. This was not included in the decision sent to me.

I am not a legal expert, but I have testified in many administrative hearings for the State of Arizona as a Building Inspector. I have never seen a Judge accept submittals from a plaintiff and not offer them to a defendant for review at a hearing, as did. ; the Plaintiff, offered several receipts and other documents to : that may have had a bearing on his decision that I was not able to see. Those may have changed the course of my defense. Decisions rendered by the A ; that I have been involved with are clearly articulated on the Decision and Ordered documents. A hearing officer cannot be allowed to make arbitrary, unsubstantiated decisions. This should be considered either unethical or incompetent behavior or both.

The only document that I was allowed to see was one of my own receipts. was unable to locate the warranty period on it and I had my witness, , locate it for him.

The case was about an issue of a recurring oil leak that was clearly beyond the stated warranty period as well as issues about repairs made by my former employees after I no longer owned the . (See attached email from)

Thank you for your consideration,