

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 13-070

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Judge:	No. 1091014647A
Complainant:	No. 1091014647B

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**ORDER**

The complainant alleged a municipal court judge improperly denied his requests to quash fines and fees assessed against him based on his incarceration, contrary to the law.

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 along with 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 commission does not have jurisdiction to review the legal sufficiency of court rulings. 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

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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.*

STATE BAR OF ARIZONA  
CHARGE AGAINST A LAWYER

2013-070

NAME AND ADDRESS OF CONSUM	NAME AND ADDRESS OF LAWYER
Telephone No.	Telephone No.

1. Did or does this lawyer represent you?

YES \_\_\_ NO

If "YES", provide the approximate dates the lawyer represented you, and the amount, if any, paid to the lawyer.

\_\_\_\_\_  
\_\_\_\_\_

If "NO", how did you come into contact with this lawyer?

This is a judge in traffic court Courthouse

\_\_\_\_\_  
\_\_\_\_\_

2. Do you currently have a lawyer other than the one named in this charge form?

YES \_\_\_ NO

If "YES", provide your lawyer's name and address.

\_\_\_\_\_  
\_\_\_\_\_

3. If your charge is about conduct in a lawsuit, provide the following information:

Case number of the lawsuit: N/A

Title of the lawsuit (for example, *Smith v. Jones*): N/A

Name of court (for example, Superior or Municipal Court, and name of county of city): N/A

RECEIVED

4201 N. 24th Street, Suite 200 ♦ Phoenix, AZ 85016-6288  
PHONE: 602-252-4804 ♦ FAX: 602-271-4930 ♦ PUBLIC: [www.azbar.org](http://www.azbar.org) ♦ MEMBERS: [www.myazbar.org](http://www.myazbar.org)

MAR 29 2013

Approximate date the lawsuit was filed: N/A

What is your connection to the lawsuit (for example, plaintiff or defendant): N/A

4. Is the lawyer in possession of money or other property (for example, your original documents or client file) that you believe should be returned to you?

YES \_\_\_\_\_ NO

If "YES" please identify the money or property and include any written fee agreement::

\_\_\_\_\_  
\_\_\_\_\_

5. What type of legal work was/is involved? (Check all that apply)

- Collections
- Family Law/Divorce
- Criminal Law/Traffic Offenses
- Personal Injury
- Immigration
- Worker's Compensation
- General Civil
- Other \_\_\_\_\_

6. What is the general nature of your charge against the lawyer (Check all that apply)

- Delay or lack of diligence
- Failing to Answer letters or phone calls
- Refusing to return your files or papers
- Conflict of interest
- Improper handling of your money or property
- Not keeping you informed of progress on your case
- Not following instructions
- Other violation of My 14th Amend of U.S. Const. & Sec 4. of Arizona State Const. "Equal Protection Clause"

7. State your charge in your own words. Please follow the instructions contained in "Information about Filing a Charge Against a Lawyer." Include all important dates, times, places, and details so that the specific nature of your charge can be understood.

Use additional sheets if necessary. PLEASE DO NOT USE THE BACK OF THIS FORM.

In Feb. 2013 I filed a March Form while incarcerated for a traffic fine in Phoenix AZ 85003. I seen the traffic court Judge Court. On 2-14-13 I was called to County Jail 201 S. 4th Ave

which he stated that he was not dismissing my fines or fees  
 cause I was in a County Jail & not in a State Prison. Whether  
 or not I am in a Prison I am still incarcerated. This act  
 Done by [redacted] is malicious & violates my Equal  
 Protection clause under the US Constitution & Az State  
 Constitution. After this Act he goes and send me a letter  
 that I receive 3/12/13 stating if I don't pay \$355.16 by  
 4/1/13 I will have a warrant for my arrest & I'm still  
 incarcerated so I sent another Quash form to  
 court so I received another letter from that Judge Basically  
 I still have the fines & fees to pay but yet I'm still incarcerated  
 & indigent & I don't have money to pay them & I'm still incarcerated  
 just like a person in prison. Also, [redacted] is acting  
 on judicial misconduct by not grant my motions due to me being  
 incarcerated in a County Jail & not Prison

I understand that most written charges against lawyers eventually become a public record. I understand that all information on this form, including my name and address, will be available for review by the lawyer and others who may view the file. This charge form and other submissions by me will be sent to the lawyer.

DATE: 3.19.13 SIGNATURE: \_\_\_\_\_

SUBMIT COMPLETED FORM TO:

STATE BAR OF ARIZONA  
 4201 North 24<sup>th</sup> Street, Suite 200  
 Phoenix, Arizona 85016-6288