

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-097

Judge:	No. 1008230810A
Complainant:	No. 1008230810B

ORDER

A superior court judge voluntarily reported a delayed ruling.

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 warning letter reminding him of his obligation to promptly dispose of pending matters. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: September 16, 2013.

FOR THE COMMISSION

/s/ Louis Frank Dominguez

Louis Frank Dominguez
Commission Chair

A copy of this order was mailed
to the judge on September 16, 2013.

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



Commission on Judicial Conduct
Attn:
1501 W Washington Street, Suite 229
Phoenix, AZ 85007

Re: _____ :

Mr. _____, Chairperson and Member of the Commission on Judicial Conduct:

Regretfully, I must self-report my apparent, but wholly unintentional, violation of Arizona Rules of the Supreme Court, Rule 91(e).

In the above noted matter I held Oral Argument on Defendants' Motion to Dismiss on _____. On that date I took the matter under advisement, in part, to accommodate the parties' right to complete the record, (i.e. file a Response and Reply re Plaintiff's Motion to Amend) and, in part, to allow myself time to further review the pleadings on the Motion to Dismiss in light of the parties' oral argument.

The Plaintiffs had filed their Motion to Amend on _____ and I thought it prudent to review and consider any Response and Reply before deciding on the merits of the Motion to Dismiss. I received the Defendants' Response on _____ and Plaintiffs' Reply on _____. I made a notation on my copy of the Response to pull the file once the Reply was received. However, I neglected to calendar a "pull" date for myself, and apparently, I also failed to ask my staff to calendar a "review/pull" date for me.

Commission on Judicial Conduct
Attn:
Page two

In any event, the file was not brought to my attention until on or about when one of the parties contacted my office to inquire about the now long delayed Ruling. We immediately had the file pulled and I issued my Ruling within a day of the phone call. I can offer no excuse. I missed a deadline.

Thank-you for your courtesy in this matter.

Sincerely,