

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-239

Judge:	No.0360014139A
Complainant:	No.0360014139B

ORDER

The complainant alleged a justice of the peace demonstrated bias and prejudice, and improperly denied him access to court 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 advisory comment regarding public access to court records. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: December 11, 2013.

FOR THE COMMISSION

/s/ Louis Frank Dominguez

Louis Frank Dominguez
Commission Chair

Copies of this order were mailed to the complainant and the judge on December 11, 2013.

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

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

COMPLAINT AGAINST A JUDGE

Your Name:

Judge's Name:

Date:

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.

To the Judicial Committee,

This complaint concerns the _____ County _____ and the hostile and prejudiced behavior of Judge _____ towards me.

Case

On _____ I went to the _____ to have my plate renewed. To my surprise, they informed me that my drivers license was suspended, which was news to me. I was instructed by them to go to the _____ court to take care of it. I was beginning a well paying job on _____, so the very next morning, _____ I rode my bike at least _____ miles to _____ to speak with Judge _____ about getting a restricted license so I could at least get back and forth to work. The new job was a _____ minute drive away in _____ AZ. so I absolutely had to have my car to get back and forth to work.

After arriving at the court, I politely explained my situation to the clerk and that I would like to speak with Judge _____ about getting a restricted license so I could get to my new job. The clerk said Judge _____ was not in yet and to have a seat and wait. While I was waiting, two _____ walked in and told the clerk that they wanted to speak with Judge _____

Approximately, ten minutes later, Judge _____ came out and spoke with the two Hispanic ladies and their conversation lasted approximately ten to fifteen minutes. After the two Hispanic women left, Judge _____ shot me a very disapproving look and walked back to where the clerk was. I waited about five more minutes and the clerk called me over and told me that Judge _____ had refused to speak with me and flat out denied my request for a restricted license. I still had no recollection whatsoever of the supposed ticket nor had I been able to locate it anywhere after an extensive and thorough search so I asked the clerk for a copy of the ticket to be sure an error or mistake hadn't been made but she refused to give me one or even to show it to me because the judge had told her not to give me anything.

I was clearly waiting there at the _____ court first and yet the two Hispanic women who came in long after I did were immediately received by Judge _____ and given ten to fifteen minutes of her time while I was openly snubbed by her even though I had been waiting there longer. Judge _____ acted like she couldn't be bothered to give me the time of day and her actions toward me were extremely rude, hostile, and smacked of rascism since I am a _____ male and two Hispanic females were clearly given preferential treatment by Judge _____ over me. Judge _____

insensitive and racist behavior toward me cost me that well paying job which would have helped me and my family to get off of food stamps plus I would have been able to quickly pay off the fine on the ticket. I had also quit my other job to accept the well paying one which has left me unemployed. I am allowed to get a copy of the ticket from the court and there is no legal nor legitimate reason why Judge _____ should be permitted to deny me a copy, which is in violation of my rights. Judge _____ unbecoming conduct towards me is also in violation of Judicial Canons Rule 2.2 Impartiality and Fairness and Rule 2.3 Bias, Prejudice, and Harassment, A & B as a judge is forbidden by rule and by law to discriminate or to even exhibit any indication of impropriety that might be construed as racism. I expect this matter to be dealt with immediately and harshly as I know the news media would not be kind to anyone who condones such reprehensible racist conduct.

Respectfully,