

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-299

Judges:	No 100911104414804 14805A
Complainants:	No 10091110441480414805B

ORDER

The complainants alleged a justice of the peace and a superior court commissioner erred in ruling against them.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner and 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 and commissioner 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: December 18, 2013.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainants, judge, and commissioner on December 18, 2013.

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

To Commission on Judicial Conduct
1501 West Washington #229
Phoenix, AZ 85007

2013-299

RE: [redacted] t

Dear Sir,

We rented an apartment at North [redacted] in [redacted], AZ in [redacted]. On March, [redacted] our land lord, [redacted] filed a case of Immediate Eviction action, against us, in the [redacted] Court, [redacted] County, presided by Judge [redacted] case Number: [redacted], under a totally false allegation and without any substantiation or legal backing.

We filed a response and a Counter Claim of our own on [redacted] and told the Court that we the Tenants, want to fight this allegation with tooth and nail in order to defend our name and prove beyond the shadow of doubt that the Land lord is the cause of all the problems, not we.

After looking at all the facts, the attorney of the Land lord requested us for a compromise and a settlement that would satisfy us, which we responded happily as we thought that it was being done by the other party in good faith. So a court supervised, Settlement was reached upon that was signed by Judge [redacted], as well as by both the Parties.

According to this Court ordered Agreement, we remained in the apartment for a specified period of time that we had agreed upon, paid the rent and vacated and handed over the property on [redacted], neat and clean and without any blemish. Immediately we left Arizona and moved to [redacted], where we started receiving harassing Phone calls from Collection agencies for an amount that we thought we never owed. When we contacted the Land Lord about this unethical and illegal practice, we were told that you have broken the Lease Agreement (?) and that you have vacated the Apartment earlier, therefore you are being asked to pay the Lease breaking fee. We contacted the Attorney of the Land lord, who was the co signer of the Court ordered-Agreement, he blatantly told us that this Court Ordered Agreement means nothing to him and that it was not an agreement, it was an EVICTION ORDER, and you have to pay what we are asking you to pay.

That was an unbelievable response by any one who is supposed to be a responsible person. So, on [redacted] we requested the Judge [redacted] for a clearer explanation of this

Court Ordered Settlement Agreement. Judge _____ wrote us back that as for as this case is concerned it is over and that we can show this letter (of explanation) to any one concerned that this matter is resolved. Defendant (We) can offer the Settlement Agreement as a defense to subsequent legal action.

We contacted the attorney of the Land Lord, _____ again and informed him about this explanation of the Court.

Unfortunately to the level of his wisdom, this gentleman was as hard as a rock and remained as stubborn as ever. Tired of all of this, we filed a civil suit against the Landlord in the same _____ Court on

It was a travesty that the same judge who had already signed the Court ordered Settlement Agreement and also substantiated it by sending us an explanation for the same, took a hundred and eighty degree turn and contrary to his earlier judgments, ruled the case against us, saying, after eviction action (?), you are supposed to pay all the fees that are due, under the statue Statue33-1373.. We told him that this was not an Eviction Action, order, ordered by you, it was a Court ordered Settlement Agreement, signed and ordered by you which encompassed all the previous agreements and obligations, but the Judge did not listen.

We filed an _____ in the _____ Court against this, such a baseless ruling. The _____ Court, presided by _____, _____ did the same that we were afraid of. She sided with the wrong ruling of Judge _____ and she too ruled against us. We appealed her to change her decision and the response was again the same rejection.

Now we are filing a Procedural failure Complaint against these courts before this department.

The Eviction action Order has already been defined by the Arizona _____ Court under Order Number _____ Rules of procedure for Eviction action (A copy of the same is being enclosed for your kind attention) According to this Order, there are several important procedural steps that need to be taken before an Eviction Order Complaint could even be filed before the court. After the hearing, judge has to issue an order for Eviction.

As none of those requirements were ever fulfilled or even considered, Or the Court ever heard the case for Eviction Action, therefore statue 33-1373 was never applicable in our case,

It was a Court supervised, Court Ordered, Settlement Agreement that was ordered as such and was meant to be obeyed and implemented as such.

It is very unfortunate that now we are being forced by the _____ Court to obey their Illegal, unfair and False order and pay the undue dues to the Land lord just to satisfy the might of the mightiest.

Please help us and clean this matter in the Light of the above mentioned Court Order.

Thanks so much for listening to the requests of the Victims and doing justice against the unjust decisions of these powerful people.