

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 13-310

Judge:	No. 1070414814A
Complainant:	No. 1070414814B

ORDER

The complainant alleged a justice of the peace improperly declined to see her, acted without jurisdiction, improperly practiced law from the bench, and denied her request to be reimbursed for costs and expenses in defending against a charge that was dismissed.

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 does not have jurisdiction to review the legal issues the complainant raised. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: December 27, 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 December 27, 2013.

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

2013-310

Nov. 20th, 2013

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TO: THE HONORABLE
SUPERIOR COURT

(copy sent to Arizona Commission on Judicial Conduct)

RE: JUDICIAL COMPLAINT OF JUDGE

Statement of Facts

1. This civil complaint regarding Dog at Large was decided in my favor on when the State's witness failed to appear.
2. **I was denied due process** at my arraignment when Judge refused to allow me to appear in his court stating that since this was a civil matter, I was not necessary for him to allow me to see him. Instead, his court clerk wanted me state my business in the waiting room or I was threatened he would enter a plea on my behalf. I objected to Judge entering the plea on my behalf as he had no authority and he was practicing law from the bench. He is not a lawyer and he was not MY lawyer.

"Courts lose jurisdiction if they do not follow Due Process Law."
Title 5, US Code Sec. 556 (d), Sec. 557, Sec. 706

018-8106

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3. I was also denied due process when Judge **refused to identify the jurisdiction of the court** when challenged to do so thereby attempting to try me under a SECRET JURISDICTION known only to the court.

Once jurisdiction is raised the burden is on the plaintiff to prove jurisdiction pursuant to

"Jurisdiction may never be assumed but must be sustainably proven by the plaintiff claimant."

"Jurisdiction, once challenged, cannot be assumed and must be decided."

4. Although I am the prevailing party I am being denied relief from the court pursuant to ARS Title 12. I submitted my receipts for having to defend this patently frivolous and spurious complaint and have been met with silence.

TABLE OF AUTHORITIES

Search & Seizure case. The State did not actually search his house. But the found the court order to compel to produce evidence against himself had the same effect as search & seizure which violated both the 4th and 5th Ammendments. **"The court is to protect against any encroachment of Constitutionally secured liberties."**

Constitutional provisions for the security of person and property are to be liberally construed, and it is the duty of courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon.

"Courts lose jurisdiction if they do not follow Due Process Law. Title 5, US Code Sec. 556 (d), Sec. 557, Sec. 706

RE: JUDICIAL COMPLAINT OF JUDGE

When in the presence of two witnesses to the same overt act or in an open court of law **if you fail to timely move to protect and defend the constitution of the United States and honor your oath of office you are subject to the charge of capital felony treason**, and upon conviction you will be taken by the posse to the nearest busy intersection and at high noon hung by the neck until dead...The body to remain in state till dusk as an example to anyone who takes his oath of office lightly. Title 18 U.S. Code section 2381

If upon conviction, you are subject to a _____ fine, _____ or both, and if theft results, life in prison. Title 18 US Code Sec. 241 & Sec. 242:

Since the constitution is intendant for the observance of the **judiciary** as well as other departments of government and the **judges** are sworn to support its provisions, **the courts are not at liberty to overlook or disregard its commands** or counteract evasions thereof, **it is their duty** in authorized proceedings to give full effect to the existing constitution and to obey all constitutional provisions irrespective of their opinion as to the wisdom or the desirability of such provisions and irrespective of the consequences, thus it is said that **the courts should be in our alert to enforce the provisions of the United States Constitution and guard against their infringement by legislative fiat** or otherwise in accordance with these basic principles, the rule is fixed that the duty in the proper case to declare a law unconstitutional cannot be declined and must be performed in accordance with the delivered judgment of the tribunal before which the validity of the enactment it is directly drawn into question. If the Constitution prescribes one rule and the statute the another in a different rule, **it is the duty of the courts** to declare that the Constitution and not the statute governs in cases before them for judgment. 16Am Jur 2d., Const. Law Sec. 155:

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*... "That a constitution should receive a liberal interpretation in favor of the citizen is especially true with respect to those provisions which were designed to safeguard the liberty and security of the citizen in regard to both person and property." American Jurisprudence vol. 16, sec. 97
(Constitutional Law Section)*

This constitution is a contract in writing enforceable in a court of law pursuant to the statute of frauds.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—**That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,** --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Declaration of Independence

2. Political power; purpose of government

Section 2. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, **and are established to protect and maintain individual rights.** Arizona State Constitution Article II