

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-066

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Judge:	No. 1099714903A
Complainant:	No. 1099714903B

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**ORDER**

The complainant alleged that a justice of the peace denied her the right to be heard and may have engaged in improper ex parte communications.

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 sufficiency of the judge's ruling. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: May 14, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on May 14, 2014.

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

**Arizona Commission on Judicial Conduct**  
 1501 W. Washington Street, Suite 229  
 Phoenix, AZ 85007  
 (602) 452-3200

**Re: COURTS**

My confidence in the honesty and impartiality of the Court has been shaken. This is due in part, to the fact that I have complied with the court rules and procedures, and paid all of the court fees requested of me. After which, I was denied the most basic & fundamental right, which is the right to be heard according to the law, and the right to present evidence in my case. Therefore I am alerting the Commission, to the (appearance) that the of the peace failed to demonstrate due- regard for the rights of all parties in this matter. See exhibit A

*It was only due to the gloating of the plaintiff, that discovery was made, regarding court-proceedings being held (without my knowledge) and a default- judgment entered against me, and in favor of the plaintiff. This discovery was due to the fact that I received a hand-written letter from the plaintiff. The letter taunts & brags about the default- judgment and why I should pay the default judgment. Please keep in mind, that when I received the letter from the plaintiff, I still had **not** received any verbal or written communication from the Court in See exhibit B*

Within days of finding out that there was a default-judgment entered against me, I filed a MOTION TO VACATE default-judgment, and provided the judge with *multiple reasons* why there was a grievance injustice. A meritorious reason deserving consideration was the fact, that I was not notified of a court date. In addition, there is no *proof-of-service* by the Courts in this case. See exhibit C & D

The circumstances and letter sent (to me), from the plaintiff in this case, creates the impression, that the plaintiff could be in a position to influence the judge, and/or has some inside privileged communication channel, that I am denied access. I am offering evidence in this case which substantiates that this is a reasonable impression.

As an active participant in this civil case, I filed a timely response to the initial complaint in good faith, and also a counter-claim. In my opinion, the appearance of *impropriety* became manifest, given the fact, that I was also *denied* my right to be heard, with respect to my counter-suit. See exhibit E

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In addition to the denial of my counter-suit, there may be other swelling aggravating factors in this case. For example, in my opinion although I have the *mental capacity* to understand the importance of submitting a **Sworn Affidavit**, the affidavit appears to have been met with callous neglect. I made that statement because, I expected an explanation by the judge, but did not receive one. See exhibit F & G

In my opinion, the cascading sequence of circumstances in this case, creates reasonable suspicion. A suspicion that there exist, undisclosed communication between the judge\hearing officer and the plaintiff. **Is there a contractual and\or, employment history with the plaintiff, in connection with the court or judicial system? And if there is a relationship, would an examination of that relationship be helpful in answering the questions described in this complaint?**

As a small business owner, and *generally speaking*, I believe that the Courts are designed to help solve problems and resolve disputes, without judges interjecting manifest prejudice and\ or bias. Moreover, I believed that judges also have a duty to maintain the integrity of the Courts. *However, my confidence was shattered, when I placed a phone call to the Court in on*  
*The purpose of the phone call was to (request) a audio recording and\or transcripts of the original court date. The casual observer being made aware of the facts in this case would deem that (request) reasonable, right? However, I was told by a Court representative that there was no audio or transcript history. The clerk went on to explain, that I could appear at the Court ( to make a request, but would be required to pay an additional **dollars** to have the matter researched.*

Given the totality of the circumstances and the possible suppression of relevant evidence concerning the original agreement between myself and plaintiff, I believe that an objective observer, hearing the facts in this case, could reasonably question the impartiality of the presiding judge. Therefore, due to elevated suspicion and the appearance of impropriety in this case, I decided to submit this complaint to the Judicial Oversight Committee.

In summary, how does denying my fundamental & basic right to be heard, demonstrate a commitment to the integrity of the Courts, and serve public interest? Moreover, I am concerned that the circumstances and ruling in this case by the court in may set a pernicious precedent, harmful to the integrity of the Courts. And rulings in my case may conflict with the intent of the Federal – ‘Fair Debt Collection & Practices Act’. Finally, *my right to be heard* is under-scored by the Arizona and U.S. Constitution. And therefore I question; what (court-filing) is recognized by the of the  
' - that would result in the protection of my fundamental right to be heard?

Sincerely