

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-092

Judge:	No. 1107713915A
Complainant:	No. 1107713915B

ORDER

The complainant alleged that a justice of the peace lied, retaliated against him, and caused delay in his case. In a supplement, he alleged that the judge improperly failed to recuse himself and ruled incorrectly.

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 rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: May 21, 2014.

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judge on May 21, 2014.

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

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2014 092

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____ Judge

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

On or about the _____ my wife and I were served with a summons from the Plaintiff _____ which is a limited _____ company which has been operating in Arizona as a collection agency with NO Legal Authority to transact Debt Collection business in the State of Arizona including bringing Debt Collection related Litigations .

The _____ has hired _____ of _____ P.C to represent them in this matter. Through out this case I have high lighted the fact that this company has no license and is operating illegal. I have attached copies of cease and desist case records from the Arizona Department of _____

I have brought to the attention of the presiding Judge that the affidavit the plaintiff's used in their summons has another company's name on it and it doesn't mention the defendants. I have brought up to the courts that the plaintiff's attorney have been blanking out the date mailed on legal letter they have sent us.

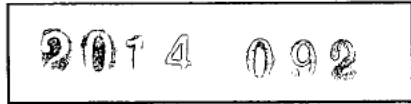
I have brought to the courts attention that the plaintiff's attorney was a no show (FTA) at a scheduled court hearing. " A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties concerning a pending case".

I have brought to the courts attention that the plaintiff's attorney filed a response to a motion filed stating that the plaintiff's attorney was on the phone the day of a scheduled hearing and that the court clerk had him on hold and then told him that he did not need to speak to the judge because I filed a motion for change of Judge. Court clerks are not allowed to practice law or give legal advise.

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Court Judge's and court staff members should treat all court users fairly and equally. All members of the public are entitled to the same information. Due process requires that the procedures by which laws are applied must be evenhanded, so that individuals are not subjected to the arbitrary exercise of government power.

I have brought to the attention of the Arizona Judicial Commission that Judge signed a motion that was brought to her attention by court clerks at the request of the plaintiff's attorney. In less than ... hours after the court clerk was instructed to file a motion on behalf of the plaintiff's attorney the judge signed it.

On ... I filed a change of Judge motion for bias with the court. On ... I attended a hearing in which Judge ... told me I could chose an expedited hearing and another Judge would get to my case right away or I could request a Change of Judge for bias hearing which would delay my case.

I chose an expedited hearing , almost two months later on ... I received an order from Judge ... advising us that our case was being transfered to Superior court and that Judge ... recuse herself in the ... hearing.

In addition the Judge pointed out that No Judgment Had been filed. I was at the same hearing and thats not what happened. So either Judge ... was lying during the hearing or Judge ... is lying now to cover for Judge ...

Either way we have been severely damaged by the open display of attorney misconduct and misconduct by Judges and court clerks. I have sent AJC copies of fax's showing that the clerks have been working on behalf of private attorneys.

Nothing seems to matter, how do we receive a fair and unbiased hearing when the courts, judges, clerks and private attorneys work behind closed doors without the benefits of the defendants. This Judge has committed fraud in his order stating that Judge ... recused herself and it has damage our rights to due process and a fair and unbiased hearing.

Please see attached continuation sheet.