

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 14-194

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Judge:

Complainant:

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**ORDER**

The complainant alleged that a municipal court judge improperly defaulted her even though she appeared for her hearing, and that the judge had a conflict of interest.

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.

The commission does not have jurisdiction to review the legal sufficiency of the judicial officer's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: September 23, 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 September 23, 2014.

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

2014-194

COMPLAINT AGAINST A JUDGE

Name: \_\_\_\_\_ Judge's Name: \_\_\_\_\_

**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 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.

I have attached an explanation for my complaint in how proceeding with my case.

I feel \_\_\_\_\_ lacks work ethics.

I am requesting that the State of Arizona Commission on Judicial Conduct; Conduct an audit of \_\_\_\_\_ cases. I feel that it is a conflict of interest that \_\_\_\_\_ is allowed to be a Municipal Judge due to the fact that \_\_\_\_\_ is the

\_\_\_\_\_ Great money maker for the City. \_\_\_\_\_ lack of leniency has caused me over \_\_\_\_\_ and much stress not having a \_\_\_\_\_ and having to \_\_\_\_\_ on a daily basis out of need.

2014-194

To Whom This May Concern:

On \_\_\_\_\_, I was scheduled to appear for trial at \_\_\_\_\_. Unfortunately, I was \_\_\_\_\_ late. I noticed the Judge was on a case and I noticed the \_\_\_\_\_ was sitting waiting to be heard. At about \_\_\_\_\_ called the \_\_\_\_\_ appointments and then the appointments followed. At about \_\_\_\_\_ dismissed the \_\_\_\_\_ present. \_\_\_\_\_ hesitated to leave; \_\_\_\_\_ stopped in front of the bench as if to inform \_\_\_\_\_ that I was present. In an aggressive tone of voice, \_\_\_\_\_ abruptly told \_\_\_\_\_ that \_\_\_\_\_ had already excused \_\_\_\_\_ and \_\_\_\_\_ could leave the courtroom.

I tried getting \_\_\_\_\_ attention, but \_\_\_\_\_ totally ignored my gesture. A little pass \_\_\_\_\_ asked me what time I had court scheduled time for. I responded at \_\_\_\_\_. Without lifting \_\_\_\_\_ head from \_\_\_\_\_, \_\_\_\_\_ informed me that the \_\_\_\_\_ would give me my paperwork. I asked \_\_\_\_\_ if I could have the hearing and \_\_\_\_\_ instructed me to go downstairs to file a motion to be rescheduled. I went downstairs and when I spoke to a clerk, I told \_\_\_\_\_ what had happened. Within minutes of \_\_\_\_\_ had \_\_\_\_\_ and \_\_\_\_\_ I informed the court clerk that I had the proof \_\_\_\_\_ and didn't feel I should have had my \_\_\_\_\_ because I was present for the trial. I filed a motion to ask the judge to appeal \_\_\_\_\_ decision and hear my case; however I received a notice that Judge \_\_\_\_\_ denied my request. WHY? What if \_\_\_\_\_ had so many cases, that I HAD TO WAIT FOR TWO HOURS?

I do not understand how Hon. \_\_\_\_\_ can \_\_\_\_\_ as in default when I was present for the hearing. Judge \_\_\_\_\_ did not show empathy, nor did \_\_\_\_\_ have leniency, for my situation nor was \_\_\_\_\_ compassionate for my being late. No, \_\_\_\_\_ was totally unwilling to budge a little (for lack of a better word). \_\_\_\_\_ so calmly threw the book at me – fined me over \$\_\_\_\_\_. \_\_\_\_\_ I tried to provide my \_\_\_\_\_ to \_\_\_\_\_, but \_\_\_\_\_ tells me I need a clearance from the court. I keep trying to call the court and all I get is a busy sound. I desperately need my \_\_\_\_\_ to be in compliance with the law \_\_\_\_\_.

I would have understood had \_\_\_\_\_ found me guilty for no show because I was late, but \_\_\_\_\_ could have accepted a payment plan and not \_\_\_\_\_ for a default. Technically it was not a default, I WAS PRESENT AND WILLING TO PRESENT MY CASE FOR \_\_\_\_\_.