

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 14-360

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace should not have left an injunction against harassment in place after holding a hearing in the matter.

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 judge'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: November 26, 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 November 26, 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

2014-360

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.

All the participants and witnesses live in the same mobile home park,
_____ Estates in _____ Two men, _____ and _____ who live
in _____ filed a restraining order on their neighbor, _____ in _____ They
live about _____ away from each other. The basis for the restraining order was that
_____ alleged _____ had spread a rumor that _____ had _____ and that _____ was
staring at his home when he drove past it. In the present case _____ was
asking the court to quash the restraining order.

_____ has told people he is _____ positive. He is a hairdresser and does some
women's hair in the park. Another man told one woman that she should be careful
because she could get _____ | was not the man who said that. Nevertheless,
_____, who has several _____ and not long to live, testified that
_____ was the one who said that. _____ and she have not spoken in over _____ years.
_____ and _____ testified that _____ | never threatened them and that they did not
think _____ | was a threat to them.

_____ attorney, _____ argued that defamation of character is not
legally grounds for a restraining order and should be quashed. The judge ignored the
law and based her decision on Mrs. _____ testimony, which she said several
times that she found "credible".

The most convenient way to get out of the park or to other homes in the park, the
mailboxes, clubhouse, etc. is for _____ to drive or walk past _____ and _____ home.
With the restraining order in place he has to drive around the park for a year in order
to avoid their home. In addition to the inconvenience, he has to always watch that
he is not in their vicinity. I had a meeting at the clubhouse one night. _____ | was
there when _____ came in. _____ insisted that _____ | had to leave because

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had to stay away from him. I said no, you have to leave because he was here first. He wouldn't leave and kept insisting that leave. was worried that would call the sheriff. and have put a restraining order on their next door neighbor also. There is every indication from their behavior that they will use the order to harass during the next year.

In order to appeal the judge's decision he has to pay fees to the court, the Court, fees for the record and service of process fees totaling about This is in addition to attorney's fees. We are all seniors on a limited income and this is a lot of money. If the judge had followed the law this would not be necessary.

A judge who make arbitrary decisions and will not follow the law should not be a judge. Please remove her from her position.