

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-025

Judge:

Complainant:

ORDER

The complainant alleged a municipal court judge failed to give her a fair and impartial trial. The complainant misidentified the judge involved in her case.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judges 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 ruling in the case in question. In addition, the commission found no evidence of ethical misconduct and concluded that the judges did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: February 18, 2015

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were mailed to the complainant and the judges on February 18, 2015.

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

2015-025

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 am filing my complaint against a _____ court judge who failed to provide a fair, unbiased and impartial hearing and rules of conduct not followed. I am also, alleging that _____ Judge of _____ Court, violated Rule 2.2 under Arizona code of judicial conduct, also Rule 2.3. My bench trial took place in _____ Court on _____ presiding judge was _____ The trial was scheduled for _____ in the afternoon but lasted until _____ My attorney at the trial was _____ who failed to prepare me or my witness for a trial, I knew nothing about who was testifying, against me in the trial nor what evidence was being presented or shown. My lawyer displayed gross incompetence in handling my case and presented no opening statement on my behalf, did not and would not properly cross examine witnesses, who lied or changed statements during the trial. As a result _____ did not ignore erroneous testimony, when witnesses statements did not match what was in reports or what had been told to investigators. One witness _____ was allowed to sit in the court room and listen to other witnesses testimony, which disqualified him from testifying at the trial and any important information he obtained as a investigator was left out of the trial, which helped in my conviction. I had the judge against me or treated me poorly during the trial, witnesses, the prosecutor and even my attorney did little to defend my case during trial. It was a self-defense case were the plaintiff _____ assaulted me first and I defended my self, by shoving her back. The incident had taken place in a _____ in _____ AZ, after I had said excuse me to _____ her _____ year old sister, so I also could look at cards at the bottom of a rack in the store, She and her sister were blocking. I was cursed at by the plaintiff and shoved and my _____ who witness the whole incident. My assault was never taken seriously, by detective _____ which also helped in my conviction, to look like it was not self defense

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I also, have chronic illness known as fibromyalgia and this was conveyed to my lawyer in refernce to what was being said about me with this so called super human strength, where I was supposedly, push the victim 3-4 times with one hand and she flew across the store and at the same time I supposedly grabbed her arm to and shoved her sister and other customers in the card aisle. The testimony was ridiculous, stupid and when the yr old witness got on the stand to say I also, hit her, she looked down at the floor the whole time. No investigation was done and no one bother to find out the truth or elimnate false testimony from the trial, which the judge failed to do. If the judge, actually, read the reports and listened to what the witnesses were saying, she could see clearly they were lieing. The on scene police officer at the incident, even stated at the trial that she was never told the was assaulted and still the judge did not throw out her testimony as a witness, but took sides and empathized, based on a lie : told. I was so, upset at the sentencing I got up and told the judge I really needed outside the court room and she screamed at me, at the top of her lungs to sit down and said that is one of the reasons she is making the decision to find me guilty, which was bias since, she does not know me and she was clearly taking sides at that point. After I sat back down, than she said after making a few more statements on why she thought I was guilty and not because it was proven beyond a resonable doubt, to take Once, I re-entered the courtroom after my short break, she called the plaintiff to the stand and directly, asked her what she wanted to happen to me. She told the judge she wanted me on probation and to pay fines and take anger manganement classes along with other suggestions. The judge granted her, whatever she asked for. Which I consider to be harrassment on the

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the judge's part, to further to try and degrade me during the trial. Also, the sentence of supervised probation with fines and classes at a class was in my eyes excessive. I immediately appealed the decision after the trial and not only am I out of a great deal of money to defend my case that was handled by an incompetent lawyer, who I have now found out has been been suspended before by the AZ State Bar for mishandling cases, but I have had to hire an appeal lawyer in order to help me to continue to fight for my rights against, the grave injustice that was done to me at this trial. Which is costing me more money to continue to fight, while the plaintiff goes free. This conviction could ruin my life. Did this judge even look at the police reports or careful review, listen or even care, that most of the testimony was falsified that day or was she just interested in a conviction. The witnesses should have been convicted of falsifying information on a police report and perjury. I would also, would like to further state that during the trial witnesses were allowed to change their statements mid-sentence and was feed information and statements corretced by the prosecutor on the stand, when witnesses for example stated she stumbled into a wall, they were showed a picture taken showing shelves that collapsed on a display rack. The prosecutor would say, "you meant rack," didn't you, this is one of the many improper things and the feeding of testimony and information to witnesses. The correcting of statements that took place during the trial, ignored it as long as it made me look guilty and easy to convict. has been known as I come to find out, for this type of impartial hearing and for committing numerous violations. Improperly, convicting defendants and not providing a fair trial. I would definitely appreciate that, all information in this matter be thoroughly looked into, all CD's and transcripts that pertain to my trial.