

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-046

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge was biased against her due to her race in a civil traffic trial. The complainant misidentified the judge involved. The judge involved was a municipal court judge.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge involved 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 involved did not violate the Code in this case. Accordingly, the complaint is dismissed in its entirety as to both judges named in the original complaint, pursuant to Rules 16(a) and 23.

Dated: May 13, 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 May 13, 2015.

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

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

FOR OFFICE USE ONLY

2015-046

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 would like to record a complaint against the _____
for not giving the same due process to my case as he did the ^{other} cases. I ask
for you to please hear cases he took care of that morning up to my case &
review so that you can hear what my complain is referring to. I believe that
because I _____ he violated my rights to a same due trial process.

I looked across the room while waiting for my case to be called & noticed
that besides _____, I was the only _____ in the
courtroom. Everyone else including Judge appeared to be _____.

As the Judge called every case he reminded everyone how the process
goes. I observed before my case the Judge allowed opening statement by
defendant, state witness testimony on the charge against the defendant,
questions from defendant to state witness charges, defendant's version of
the events, Judge questions to both parties, closing statements from both
parties (especially defendant,) than his ruling.

My case was called & Judge stated to me that I had notice how the process
goes because of the _____ cases that went before my. He then asks me if I
have any questions & I replied that _____.

Judge told me that my questions _____.
He proceed to open my case for the record & then he went straight to
_____ to start his testimony on the charge against
me. The Judge completely skipped my time to do my opening statement.
I was _____ since _____,

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but the Judge was making me more _____ . I had seen that
he had allowed the other cases to have an opening statement or that at
least he had asked for opening statement.

I tried to _____ and told myself that _____ was not
affecting my case. I told myself that Judges are not supposed to
_____. I honestly felt _____

After _____ testimony, Judge turned to me & told me to
_____. Which I tried to
_____ because it was not going in the order it was supposed to be.

A person who is _____ would normally be
_____, but Hon. _____ made me
_____ because he was not giving me the same due process. I know that
I had the option of obtain^{ing} a lawyer to represent me but I'm
my _____ is _____ due to a _____ had _____, that
we cannot afford the cost of an attorney.

The judge completely skipped my opening statement, then when it was my
turn to tell him my version of the event, he interrupted me so many times.
Something he did not do with the other cases, & I understand that if he was
not _____ he has the right to clarify and ask questions.

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But Judge interrupted me many times that he made me feel like I should of had asked for an interpreter because, He was _____ . If he was _____ my version of the event he should of had offer me an interpreter also. Instead he just kept on interrupting me, making me _____ that I was all over my notes & presentation.

As I tell him about where _____ he interrupted me & tells me that _____ had already stated & made it clear where he had gotten _____ that it was not relevant where _____. He told me to start where supposedly _____ . He did not let me explain & without asking _____ to prove otherwise, the Judge settled on what _____ testified. I, with the _____ I have, respected the Judge's decision. He asked to start with my version of what happen before.

I continue with trying to get into my notes, was expected that judge would take the word of _____ over a _____. As I try to cont. _____, he again interrupted me supposedly to correct me because according to Judge I was wrong w/my statement of which _____. This made me _____ because I had tripled checked on _____ before by paying attention when I _____ way before I had court. Again I respect his decision & not argued with him.

Even now before this complained, I have checked on this little fact. I was correct in my statement and this just goes to prove that he was just in fact

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completely set on _____ . You will see that
_____ & for that my presentation is not going through compelling enough.

Judge after throwing me off from my testimony of the events, he just went
to his ruling. He did not ask if either party has closing statements. I had
opening & closing statement, he did not ask me for. Such action did
not allow me to present more evidence. All I was trying to do was to tell him
that _____ but that at 1 point I had the need
to _____ I was not
in any shape of form trying to say I was

All his interruptions & not allowing me to do my full presentation is not fair.
All I wanted was for Judge to consider my need to _____ The _____ had
opportunity to show up behind _____ Instead I
got _____ . I was then
Because of interruptions I was not able to bring up my

The Judge skipped parts of my due process that he didnt skipped on the
other cases that coinsidentally were _____ cases.
that had _____ cases appear to be _____ representing
also appeared to be _____ Last case, me,
Judge came accross that his mind was set on finding me _____ He did not
give me the oppportunity for opening and closing statement, ~~where I was~~

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He was definately not been fair as he was with other cases. All this brought to mind that at the pre-trial to set a trial date for _____ to be present, the Judge did not informed me of my charge with full information. Before my case was called, a _____ went before that had same charge, Only that to him the Judge informed _____ that he had been _____

Let me tell you that this _____ appear to be, yes, _____ Coincidence??? Well for sure has me thinking that the Judge definately made _____ in his process of handling my case. The info that if a _____ was used was probably _____ but did I know? NO. Must of been abbreviated & Judge did not take his time to informing me as he did _____ before me. You may wonder if nformed me at time of incident & let me tell you that he did not.

I would like for you to review this incident because I do not want the Judge to be treating _____ the same way. There should be no excuse for anyone to brake the law, but that does not give the authorization to any Judge to take someone's rights to the time of every part of presentation because _____. This was a minor incident that I do not undestand why the Judge treated me as if I brake the law everyday or that my case was a major incident just because _____

Thank you for your time & consideration in this matter.
Sincerely, _____
(a concern citizen) _____