

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 15-130

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Judge:

Complainant:

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**ORDER**

The complainant alleged a superior court commissioner did not behave in a professional manner.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the commissioner 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 commissioner did not violate the Code in this case. The commission approved sending the commissioner an advisory letter reminding him of his obligation under Rule 2.8(B) to be patient, dignified and courteous to all those appearing before him, and to refrain from conducting any independent investigations pursuant to Rule 2.9(C). The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Dated: August 17, 2015

FOR THE COMMISSION

/s/ Louis Frank Dominguez  
Hon. Louis Frank Dominguez  
Commission Chair

Copies of this order were mailed to the complainant and the commissioner on August 17, 2015.

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

I understand the commission cannot reverse court orders or assign a new judge to a case.

I declare, under penalty of perjury, that the foregoing information and the facts I have provided upon which my allegations of judicial misconduct are based are true and correct.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### INSTRUCTIONS

Use the following space or plain paper of the same size to explain your complaint. Explain why you believe what the judge did constitutes judicial misconduct. Be specific and list the names, dates, times, and places relevant to your allegations. Additional pages may be used and relevant copies of documents may be sent with your complaint (please do not send original documents). Use one side of each page only and write legibly or type your complaint. Please keep a copy of your complaint for your records.

This is the first complaint that I have ever filed against a judge or commissioner in a . Accordingly I gave serious thought whether I should do so in this case or simply ignore comments on the record. Since I have neither met or ever spoken to the I do not take his comments personally. However, if his comments reflect how he deals with all litigants, then I believe he lacks professionalism.

I also believe that asking if I am a is a poor choice of words and not insulting. His statement about my based on absolutely no knowledge of the case is troubling. No judge or has ever, on or off the record, accused me of and certainly no one - judge, - has accused me of .

If felt this way he could have asked me to appear personally and explain the , the nature of the case, and . The fact is that other I believe is similar to what most . Also, seemed to equate the limited number of court appearances or pleadings with the the case. This case was extremely difficult. It was marked by and very protective of their , and a significant decline in the real estate market and thus a significant loss of and so on. Many times, without , I accepted and never refused lengthy Despite able , I was able to get my in a stable position with generous access to . Unfortunately, after and months of , the again. This permitted to leave . The always thanked me profusely for my and stated he could not have had more .

also got it wrong as to the role of the . We filed a request for to which the never responded so it did not proceed.

For the convenience of the Commission I am submitting a complete and highlighted copy of the transcript.