

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-311

Judge:

Complainant:

ORDER

The complainant alleged a municipal court judge failed to explain her rights, conducted a trial without a plea from her, and denied her the right to legal representation in a criminal proceeding.

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: December 23, 2015

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 December 23, 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.

1.) HARASSED

2.) With Holding Federal mail:

3.) Violated Due Process at law.
in addition and criminal charges.

- Appealed.

CASE # CC... -170... - Appealed.

Case # Disorderly conduct/ abusive language
Docket #

Location:

Judicial Complaint:

Attending Judge:

RE: violation of citizen's legal right to representation,
Failure to recite citizen's rights in open court
Conducting Trial without a Pled from Defendant
Holding trial without the arresting officer's or responding officers present at trial

Community Manager had previously attached false documents to entry door to her mobile home, indicating that she had rears of rent that was due.

Community Manager handed a past due rent notice to vacate the property for rears that she owed and also handed a 10/20 notice for a violation on an electrical feeder line.

called dialed 911.. Responding arrived.
showed the her rent receipts , reflecting that there was no reason for the community manager to falsify past due rent notices to her entry door on her property located at

stated that this matter is civil and instructed to take it to court.

An hour or two later, property owner of was knocking on entry door, located at

had been plastering in the kitchen and remodeling her home. states that she needed to be evicted for non-payment of rent and a violation of electrical feeder line on her property. Which was the 10/20 day notice that was delivered by community manager earlier on I requested contact information and explained that there were past maintenance problems that began in I had tried to locate contact information to notify him but the community property manager did not cooperate and refuse to replace

a blown fuse for 5 1/2 months. In [redacted] I explained to [redacted] that I filed a city violation against him and that I wanted the fuse replaced immediately. [redacted] stated that he is not going to do anything and started to walk away from my front door. [redacted] was parked in front of my property. I followed him to his car requesting repeatedly for his name and contact number, because until today I did not know what his name was. [redacted] called 911.... The responding [redacted] had separated us and another officer arrived at the scene. [redacted] requested to speak with me and called me over to him. As I approached the officer, the officer pushed me so hard that I lost my balance and had tripped backward several times. I was very upset now and started to swear at the officer. The officer then handcuffed me and threw me in his car. I told the officer that my home is not locked and the windows are open, I further explained that I did not have any shoes on nor did I have my identification on me. [redacted] proceeded to walk in my home and searched the home for 15 minutes or more. Then he came out with a blue backpack.

I had been detained for 24 hours, without a memorandum read, without a phone call, without knowing why I was being arrested. I was informed that they didn't know what they were going to charge me with.

I was called to be released and saw a Judge in jail at the [redacted]. The Judge stated that I was being charged with disorderly conduct and that I was to appear [redacted] at the [redacted]. The Judge stated that I was not to drink or use any drugs until this matter is resolved.

After being released, I was instructed to go to the property department to pick up my belongings. The Property department harassed me by not releasing my personal property. The Property Department stated that I had no identification and therefore they are not releasing anything at this time.

I went back to [redacted] to file a complaint. The officer at the front desk was informed of what had happened at the property department after I was released. The officer picked up the phone and called the property department and yelled at them, stated to release [redacted] personal property immediately, then the officer hung up the phone. The officer instructed [redacted] to return to the property department which is on the other side of the police department and retrieve my personal property.

I went back to the property department and re-requested my personal belongings, the department took another hour to release my property to me.

I arrived at home at 6 pm. After entering the front door to my property community manager [redacted] was pounding on my front door for over an hour. The community property manager [redacted] was pounding on my door and then running off my property. I did not answer the door.

Case Disorderly conduct/ abusive language
Docket #)

Location:

Judicial Complaint:

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RE: violation of citizen's legal right to representation,
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On

appeared in open court requesting for a continuance, because she just gained employment with located at employment hours were from 8-5pm Monday thru Friday. did not recite any rights to and granted a continuance set for

went down stairs and filed a subpoena with the clerk's on the first floor of The paper was filed and entered. asked the clerk if I need to sever the who was the first responding officer on The clerk instructed the officer would be notified and that the clerk/ court would subpoena the officer.

On

was sitting in the public area of the court, waiting to be called. ordered to exit the side door and sign a continuance set for Judge did not recite my citizen's rights, nor was there a plea entered.

Judge , conducted trial without a plea from Judge proceeded to conduct trial without the arresting and present. Judge did recite rights. Judge assumed that plea was entered at and therefore Judge did not need to recite

; rights nor entered a plea. Judge ; failed to allow ; an
opportunity to request a defendant a Public Defender and stated that this charge was a citation earlier
in open court on

-theft charges

: had taken an early retirement, after dismissing ; for theft (non -payment of
cab service with a : Dismissed

; public Defender ; had assault / threatened ; with a
false warrant while handling the case#

**THE COMMISSION'S POLICY IS
TO POST ONLY THE FIRST FIVE
PAGES OF ANY DISMISSED
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE
REMAINDER OF THE
COMPLAINT IN THIS MATTER,
PLEASE MAKE YOUR REQUEST
IN WRITING TO THE
COMMISSION ON JUDICIAL
CONDUCT AND REFERENCE
THE COMMISSION CASE
NUMBER IN YOUR REQUEST.**