

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 15-350

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace and a small claims hearing officer improperly entered judgment against him.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judicial officers 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 judicial officers did not violate the Code in this case. The commission approved sending the judicial officers advisory letters reminding them of the need to clarify business entities involved in litigation, and if an individual has capacity to appear on behalf of that entity so as not to violate Rule 1.1 of the Code. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission members Gus Aragón, Louis Frank Dominguez, and Art Hinshaw did not participate in the consideration of this matter.

Dated: March 30, 2016

FOR THE COMMISSION

/s/ Peter J. Eckerstrom
Hon. Peter J. Eckerstrom
Commission Vice-Chair

Copies of this order were mailed to the complainant and the judicial officers on March 30, 2016.

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.

The _____ court heard a case brought against me as the defendant by a _____ who had brought a case against me asserting he had performed work in _____ back in _____ for which he had not been paid.

The documentation I submitted to the court PRIOR to the hearing clearly showed that the work performed by _____ was for an _____ for which I am the _____ .
Namely, _____ All work performed in _____ was under a contract between _____ and the plaintiff. I am simply the _____ .
Please see attached proposal and approved contract for the work between _____ and _____ .

Now that the judgement has been made against me personally instead of the entity that the work was completed for, I have a mark against my personal credit and the defendant has made threats to go after my and my families personal assets.

The judge (and the hearing officer _____) erred by failing to review all of the pertinent documents submitted prior to the hearing. Judge _____ erred again when failing to fully review the motion to vacate I submitted on _____ (see attached). The denial of the motion stated NO ARS in support of the denial, it simply stated that all _____ rulings are final).

Every document submitted as evidence reflects that the work had been completed for _____ and in line with a contract awarded to _____ NEVER did the plaintiff ever work for me as an individual.

The misconduct perpetrated by the court under the leadership of _____ was simply to not review all of the evidence provided in the case then mistakenly judging against me personally instead of the correct entity for which the work was performed. Also, ARS 29-655 "Rights of Judgement Creditors of a Member" is the correct statute and limits the judgement as it should relative to my membership in the _____

I am simply requesting this judgement be vacated as requested of the the judge back in
If not than I'm requesting the judgement be amended (as also requested back in
to read the defendant as