

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-013

Judge:

Complainant:

ORDER

The complainant alleged a municipal court judge improperly incarcerated him for a civil fine.

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 judge'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(a).

Commission member J. Tyrrell Taber did not participate in the consideration of this matter.

Dated: May 10, 2016

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 May 10, 2016.

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

From: [Commission on Judicial Conduct](#)
To:
Cc:
Subject: FW: Possible Unethical and Misconduct Complaint Regarding
Date:
Attachments:

From:
Sent:
To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>
Subject: Possible Unethical and Misconduct Complaint Regarding

To whom it may concern,

My name is
DOB

In [redacted] I went to MVD to ask for a summarized list of violations keeping me from getting my [redacted]. I paid off all citations on the list and returned to MVD with proof and was granted my driving privileges once again. On [redacted] while driving home from work I was pulled over by [redacted] on the [redacted]. The officer placed me under arrest for [redacted] from [redacted] out of [redacted]. I told the officer it had to be a mistake because my having a [redacted]. When I saw the Magistrate [redacted] on [redacted] I explained to her that I was under the impression I paid off all fines. The fact that I have a [redacted] should prove that. She continued to go by there records that it wasn't paid and that [redacted] made a mistake. She said she would contact [redacted] to correct that mistake and will have my [redacted]. She sentenced me to [redacted] in jail and a jail fee of [redacted]. During that time I lost my job, my freedom, place where I was living, and my car was towed away. I pleaded with the [redacted] one last time after she finished listening to all cases with her permission. I asked if the fact that I made effort in to trying to resolve all necessary citations to obtain my [redacted] spoke anything in my behalf. Wether or not it was towards the fine in question. She proceeded to tell me I wasn't going home but to jail. I had to pay [redacted] to retrieve my vehicle upon release and moved in to a homeless shelter called [redacted]. Eventually, the [redacted] changed their requirements on staying at their location. I had to enroll into a [redacted].

program or I couldn't stay. I am currently living I also went to
to try and make sense of everything that was happening. According to records they said
I have never been convicted of Their records show but there was never a
follow up advising them the result of the case. Which is why the fine amounts to them are
showing as balance.

Being that this was since I have moved several times, and changed employers. I
honestly could not recall if I paid this fine or not. I do remember getting the fine down to
at which time I was in the process of trying to refinance my house. I was planning on
also getting money from and paying off the fine completely. I do not remember
being it was However, what I do remember is that during that time I was laid off
at work and in jeopardy of losing my house along with

As of a result, I wasn't able to pay twice on this fine, warrants were issued for my
arrest and sentenced to jail time. On the appearance before the she stated
to me that everything left on this case that was had been all taken care of.
Meaning that I can no longer go to jail for the fine remaining. All that was left was
meaning that if I didn't pay I would never returned, and it would
appear on my credit. Upon release I also did a credit check on myself but didn't find anything
in relation to this fine.

I regret to say that on some of these facts I've shared I was never given paperwork at my
release to show, nor when I went to the court and spoke with . For example, the
form showing that the jail fee is now at instead of I'm hoping court transcripts
from this case in whole will be pulled and reviewed and compared to what is written with the
now.

I'm happy to say that the attempt to was unsuccessful. The was
satisfied with my doing what was asked of me and would not punish me for something I
didn't do wrong (or did do wrong with punishment again). Something else that really has me
confused is the jail fee that was imposed on me for the time I spent in
is now mysteriously now down to . Please help. I am still suffering the affects of
this today and can't seem to get out of a hole I thought I was out of already. I truly blame
myself for this whole situation. If I had not ever made the decision to I
wouldn't be in this situation now, but how many times will I be punished for the same thing?
Why would I pretty much be called a liar in a court room with to prove it? When I
clearly remember being told I could not go to jail for Yet, the exact opposite
happened? Who really is the one lying then? Most importantly, will the lies continue and in
the future I'll be once again punished? This time for making this complaint.

Sincerely,

