

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-072

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace improperly denied a motion to dismiss in an eviction 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 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 Art Hinshaw did not participate in the consideration of this matter.

Dated: April 12, 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 April 12, 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 Judge did not rule correctly on my motion to dismiss, I was never served with the eviction complaint, and the affidavit of service on file with the court showed registered mail for a 5 day notice that was served to me on _____ to clean up my yard. The actual eviction notice for Judge _____ court I was never served with it to this day. The Judge stated in open court " my presents in the court is process was served'. Regardless of lack of service by REQUIRED 4.1 Arizona Rules of Civil Procedure. Also when I asked the Judge to look at the affidavit of service plaintiff submitted to the court it stated "it was dropped off at _____ residence. I did not have any knowledge of this court date until a neighbor approached me and advised me my landlord was taking me to court. And then I spent hours and days calling all the courts to find out when and were I had to appear in court. I would respectfully request that the Arizona Commission on Judicial Procedure strongly investigate my complaint in a timely matter. Thank You.