

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-177

Judge:

Complainant:

ORDER

The complainant alleged a justice of the peace made improper rulings in an eviction matter, failed to take his medical condition into account when scheduling hearings, and allowed a campaign supporter to appear before her.

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 members Christopher W. Ames, Roger D. Barton and George H. Foster did not participate in the consideration of this matter.

Dated: September 19, 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 September 19, 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.

THIS IS A COMPLEX CASE TO FOLLOW I HAVE BEEN ON THIS CASE SINCE
 WHEN I WAS SERVED WITH THE SUMMONS ON _____ I RECIEVED THAT
 NOTICE ON _____ AT _____ AT _____ TELLING ME THAT I NEEDED TO
 ON TTHE _____ AT _____ I WAS TAKEN BACK BY THIS SHORT NOTICE AND
 WHEN I PROTESTED I WAS TOLD _____ I SAID _____ THE
 IT WAS OVER SHE DIDN'T REALLY LISTEN TO ME NEITHER HERE
 NOR THERE I SHOWED UP A LITTLE EARLY AND I THOUGHT IT WAS THAT MY
 WAS IN THE COURT TALKING TO THE JUDGE LAUGHING. THE JUGEMENT
 WAS ENTERED I THE FAVOR OF THE PLAINTIFF SHE WAS ASKING FOR
 I PROTESTED AND IT WAS NOT IN THE LEASE HOWEVER THE
 JUDGE SAID THAT DO YOU HAVE A COPY OF THE LEASE I SAID NO I THOUGHT SHE
 MIGHT HOWEVER I WAS IMMEDIATELY TOLD THAT SHE DOSE NOT HAVE TO LET YOU
 USE IT I NEVER HEARD OF THAT AT LEASE ONE OF US HAS A COPY OF CONTRACT SO I
 SAID OKAY SHE DID'T EVEN LOOK AT IT EEVEN THOUGH THERE WAS A QUESTION
 RASIED ABOUT _____ THEN RIGHT BEFORE SHE WAS TO RULE I SAID HONOR
 IN WHICH I CLAIM THAT SHE HAD NOT PROPERLY
 DAYS PRIOR AND THE THE
 INCOSSITANCE IN HER MOTION OR CLAIM SHE HAD NOT FILED A PRPER
 NOTICE. ALSO SHE THE PLAINTIFF HAD NOT WENT THROUGH THE PROPER CHANNEL I
 AM ON _____ WHERE THE _____ I AM
 AS WELL. THE RULES GOVERING THE FILING OF _____ AND THE
 NOTICE TO _____ SHE DIDN'T EVEN LOOK AT IT SHE SEEM TO
 ASSUME TAT I DIDNT DO ONE. SHE _____ IT. AT THEEND OF THE CASE I FELT
 LIKE WHAT JUST HAPPEN I IMMEDIATILY FILE A MOTION TO VACATE JUGEMENT
 AND IT WAS _____ AND SHE BOUGHT US BACK INTO COURT ON HE _____ I HAD
 PRESENTED THE COURTS WITH NEW EVIDENCE THAT SAID THAT THE IT HAS BEEN
 DISCOVERED THAT THE LANDLORD HAS BEEN _____ FOR
 FOR A _____ IT PROHIBITED FOR A LANDLORD TO CHARGE
 ADDITINAL MONEY AND NOT BE UNDER CONTARCT WITH MY SELF AND _____ ON
 THE JUDGE AGREED AND TOLD THE PLAITIFF

SO SHE EXPLAINED TO THE PLAINTIFF THAT THIS WOULD WASH OUT HER CLAIM ENTIRELY SHE WAS ASKING FOR FOR THE THE JUDGE TOLD HER BECAUS ETHIS CAN NOT RF PART OF CLAIM YOU CAN NOT GET IT BACK. THE JUDGE ORDERED US TO I WAS TO AND INFORMATION ABOUT WHICH HAD BEEN OFF SINCE . DUE SOME FEES IN HE AMOUNT OF HAD DISPUTED THIS AMOUNT WITH AND WAS IN LITIGATIONS WITH THEM WE HAD A COURT DATE ON BY THIS TIME I HAD BEEN LVING WITHOUT I AM AND ONE OF MY DISEASE WAS WAS WELL AWARE OF THIS. ON THE NEXT COURT DATE WAS UNABLE TO MAKE IT MY HEALTH HAD BEGN TO DETERIORATE I WAS HOPITALIZED ON THE AND THEN BACK AGAIN ON THE OF I CONTACTED BOTH THE PLAITIFF AND THE COURTS IT WAS AN EMEGENCY CONTINUES THAT ASKED FOR AND AND WAS TOLD IT WAS TOO LATE I EXPLAINED TO HER I AM IN THE HOSPITAL AND MAY REQUIER TO AND ON THE I HAD TO GO IN EARLY I WAS IN A TERMENDOUS AMOUT OF PAIN FROM MY MY DOCTOR SAID IT WAS DUE IN PART TO SO I MISSED THAT COURT DATE BUT I THOUGHT THAT THE PLAITIFF AD I HAD AGREED TO MEET I WAS TO GIVE HER THE AND IT WOULD BE OVER THE UPDATE FOR WAS PUSHED BACK BECAUSE I WAS HOSPITALIZED. THE LANDLORD AND I HAD BEEN CORRESPONDING BACK AND FORTH THROUGH EMAIL AND SHE CONTINUE TO TELL WE CAN MEET I EXPLAINED I WAS NOT DRIVING DUE NOT FEELING WELL. THEN OUT OF NO WHERE SHE SAID THAT SHE NO LOGER WANTED TO MEET AND SHE WOULD MEET ME IN WHICH SHE NEVER SHOWED MIND YOU I DIDNT KNOW WHAT HAD HAPPEN IN COURT THAT DAY EVEN AFETR CALLING AND BEING TOLD THAT THE JUDGE WILL MAIL HER RULING SO I THOUGHT OKAY MUST BE THAT WE HAVE TO EXCHANGE MONEY AND GET THIS SITUATION FOR ME WAS CAUSEING A ME AN EXTREM AMOUNT OF STRESS AND I WAS FEELING EVEN MORE ILL THAT WEEKEND I STAYED IN BED GOT THAT I WAS REALLY FEELING BAD BUT HAD TO GO TO AND COURT STILL NOTHING ON THE JUDGEMENT BUT NO NOTICE FOR WRIT TO POSSESSION NOTICE FORM HE CONSTABLE SO I THOUGHT I WAS GOOD THEN AFETR I GOT EVENIG I REMEBER ON THAT THAT THE HAD INFAC T BEEN THERE SHE LEFT ON THE INSIDIE OF MY SOME PAPERS THAT ACTULLY WHERE LIKE A BUT NO WRITE NOTICE CHECKED BOTH DOO WHEN I GO HOME ATND THEN ON AT THE LANDLORD SHOWS UP WITH CONSTABLE TO EVEICT ME NO NOTCE OR ANYTHING I DIDT HAVE ANYTIME TO MAKE ARRANGMENTS I WAS VERY ILL AT THE TIME AND COULD HAVE USED THE TIME OVER THE WEEKEND TO PREPARE MY MEDICATIO WHICH IS LIFE OR DEAF FOR ME THEN I ASK THE CONSTABLE WHAT HADPPEN TO MY NOTICE HE STATED AND WELL AFETR I SA I THER WAS NOTHING HE STATED SEVERAL TIMES THAT THAT DAY I WAS HOPITALIZED AS I PASSED OUT IN THE COURT AND RUSHED TO HOSPITAL WHERE I HAD I WAS IN THE HOSPITAL UNTIL THE I WAS REALLY STILL VER WEAK BUT I DID MANAGE TO FILE AND MOTION TO SET ASIDE THE JUDGEMET BECAUSE I AHVE SEVALLIANCE OVER THER AT MY COMPLEX AND WHEN LOOKED AT THE FOOTAGE IT TURNS OUT THAT THE LANDLORD HAD BEEN THER ON THAT ENTEED THE PROPERTY I WAS NOT HOME STILL AT THE COURTS AND I GOT HOME LATER SHE WAS SEEN WALKING AROUND THE PROPERTY AND LOOKING THROUGH WINDOWS AND ALSO SHE LOOKS AS IF SHE REMOVED SOMETHING FORM TEN SHE WALKED BACK OPEN THE GATE AND WENT IN OPEN THE SLIDING DOOR AND WALK RIGHT IN . THE PROBLEM WITH ALL OF THIS THATIF HSE REMOED THOSE NOTICES OR FAILED TO POST THEM SHE CASUED ME EXTREM HARDSHIP SO MUNCH SO THAT I WAS HOPITALIZED A WAS WAS ALL BOUGHT ON BY THE STRESS AND THE CONSTANT RUNNING BACK AND FORTHTO COURT. SO AGIN I BOUGHT THIS AND ALL MY ALLEGATION TO THE ATTENTION OF THE JUDGE ON THE I WAS AGAIN HOSPITALIZED AND WAS REALSED ON THE AND AGAIN I FILED AN EXPARTE MOTION TO HAVE THE CASE REAJUDICATED NOTHING THEY STILL CANOT FIND THOSE PAPERS I AHVE THEM THOUGH THEN I ALSO DISCOVERED THAT THE LANDLORD HAD BEEN FILNG ALLHER EVICTION CASES IN COURT NO MATTER WHERE THE PROPERTY WAS LOCATED SHE HAD INFAC T FILD THIS CASE IN THE WRONG JURIDITION IT SHOULD HAVE BEEN NOT SHE USES HER BUSSINESS ADDRESS INSTFAD OF THE PROERTY THAT WAY SHE IS ALWAYS GOING BEFORE THE SAME JUDGE AND SHE EVERYTIME. WHEN SHE RAND FOR OFFICE OR JUDGE SHIP APPOINTMENT ON THAT HAD A CELEBRATION AND WAS ALOS PRESENT AT THIS EVENT AND SUPPORTED HER IN ELECTIONS I THOUGHT IT WA ODD AND FIED A MOION TO DISMISS BASED OF THE MOTION IS STILL NOT FILED AND ALL MY SUFF IS IN PLACE AT MY OLD APRTENT SHE HASNT MOVED A THING I ASKED THE JUDGE TO RETURN ME TO LEGEL POSSION I MEAN WHAT ELSE CAN SHE DO. NOT ONLY DID SHE ENTER A JUDGEMENT IN FAVOR OF SHE INCLUDED THE I THOUGHT HOW DO YOU DO THAT WHEN YOU TOLD HER SHE HAD VIOLATED AND WAS IT WAS THROWN OUT ON THE COURT DATE. I GUESS WHAT I SAY IS THAT THIS ENTIRE CASE SEEM OON ITS FACE TO HAVE BEEN APPRIPIATELY ADJUDICATED HOWEVER THER WAS SO MANY RED FLAGS THE JUDGE NOT DISCLOSING THE FACT THAT SHE KNEW THE PLAITIFF THE JUDGE FAILING TO ALLOWING FOR ME TO CONTIUE THE CASE WHEN I WAS OS VERY ILL AND THE COURTS AS WELL AS THE LANDLORD WHERE WELL AWARE OF THIS. I NED SOME HELP I AM LIVING NOW WITH ME HAVING TO DO FOR A DAY NOW AND MY HEALTH NOT BEING IN THE PLACE IT SHOULD BE THIS NIGHTMARE HAS TO STOP I WILL BE DEAD BY THE END OF THIS AND NOT KNOW WHATS HAPENING SO WITH THATI EMPLOER YOU TO TAKE A CLOSE LOOK AT THE JUDGES DECISION MAKKING PROCESS I KNOW YOUR NOT INCLINE TO MAKE CHANGES TO CASE HOWEVER MAYBE A RECOMEDATION I THINK THAT THE PLAINTIFF SHOULD BE SENT BACK FOR MALIOUS AND ATTEMP TO CURCUMVENT THE PROCESS AND THE MEAR FACT THAT SHE CAUSED ME SUCH HARDSHIP DUE TO HER NEGLIGENCE I AM FILING A CIVIL CASE AGAINST THE LANDLORD SEEKING DAMAGES