

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 16-207

Judge:

Complainant:

ORDER

The complainant alleged that a justice of the peace did not provide her with a fair opportunity to be heard and improperly dismissed her appeal.

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).

Dated: September 28, 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 28, 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.

see Attached pages of + of

I have included copies of everything that was filed at and for the Appeal

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Page _____ was mistakenly filed as the Cover Page of my Memorandum, concerning my Appeal, which I filed on _____ (within the timeframe allowed for Appeal)

I asked the Clerk who was accepting my Appeal Forms if she would date stamp something showing that I indeed, did file the Appeal. Although she said this is not a normal procedure, she did date stamp a page, copied it and gave it back to me. I looked at what she gave me and wondered why she chose that page, in fact, I wondered, why that page had even been filed. However, I just dismissed my questions and felt relief that I had filed the Appeal. After I received the Dismissal of my Appeal, I came to understand I mistakenly filed that page, as the cover page, or the first page of the Memoranda in the Appeal. "Exhibit" "The first page, of the Memoranda should have been,

The first page of my Appeal, or Memoranda, had the exact verbiage as _____ with exception to the 'choice' boxes, showing who was filing, (*Appellant Memoranda, Appellee Response Memoranda, or Oral Argument Requested*). And of course the heading (

_____), and the address. However, all information and everything else which appears on _____ was included and clearly typed on my first page. "Exhibit" "

MY COMPLAINT:

Although, I do understand the case will not be overturned, I do want to make sure my voice is heard. On the day of the trial, _____ disallowed me to present my defence. I want to mention here that I suffer with _____ which, under stress can cause me _____ what I

(*I understand the court allows for disabilities and reasonable allowances, however, there was no time to request that*). I also want to mention that I went to the window of the Clerk of Court on _____ to file my argument, or defence. She said, "It will not be read until tomorrow at your trial anyway, you can just bring it with you then." I thought that odd, but, being so stressed, I just left and returned the next day for the trial.

I was very confident that my case would have been dismissed, due to the fact that the Summons was not served correctly. However, when I approached the desk of the

_____ I was so nervous and when he started to ask questions I just answered. Before I knew it he was judging for the Plaintiff. Even though, we never received a Summons by mail. _____ read the law, (I pointed out) concerning Service of Summons, he read it out loud in court, (as can be heard on the DVD recording)

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he asked me if I picked up my mail, I said yes. *Well of course I picked up my mail.....but I never picked up a Summons!! ((I picked up my mail in order to make sure NO SUMMONS was mailed))* There was NO SUMMONS ever mailed. I asked

to dismiss the trial, but, after he read the law out loud, confirming that we were NOT served correctly and lawfully, he still immediately signed for the Plaintiff. I was dumbfounded, I asked, "what about all the unlawful charges such as these Notice Fees that we have been charged?" He replied, "You can Appeal."

So I did, I Appealed.

The paperwork I am including herein, show my argument, one that was never given the opportunity in court, to be heard.

is unlawfully charging tenants and landlords, and will continue to do so as long as they have their days in Court that go like mine did. In fact, as the Attorney approached the desk of we heard him greet the , "Hey Dude." It seems to me, unprofessional, but, also depicts an unfair advantage for the accused Evictee.

I find it hard to believe that my Appeal was Dismissed by the same that would not hear me the day of my trial. It seems that the Appeal should have gone to someone who wasn't called "Dude" by the Plaintiffs Attorney. But to my luck, that just did not happen.

I am unsure as to why my case for Appeal has been dismissed by , with the exception to the first page of my memoranda being typed instead of one the court supplies. My case was filed in a timely manner, I have the date stamp on the (mistakenly filed page).

I feel that there is more than meets the eye in this courtroom. Unfortunately, the only thing I can do is attempt to draw the attention of someone who might be fair minded. Someone who strives after Justice.

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