

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 16-326

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Judge:

Complainant:

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**ORDER**

The complainants alleged a justice of the peace engaged in improper ex parte communications and made improper rulings in a civil traffic matter. The complainants further alleged that a superior court judge failed to act on the misconduct of the justice of the peace.

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.

The commission does not have jurisdiction to review the legal sufficiency of the judicial officers' rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officers 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: January 11, 2017

FOR THE COMMISSION

/s/ George A. Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainants and the judicial officers on January 11, 2017.

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

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2016-326

My daughter, \_\_\_\_\_, with her fellow basketball teammates from \_\_\_\_\_ had gotten stopped by the \_\_\_\_\_ coming into the round about transition. She was pulled over for doing \_\_\_\_\_ mph. She had called me on her cell phone and told about it while still being stopped. She had informed me that there was two cruisers with their lights on behind and that she was stopped for speeding. I ask her to ask him to see the radar gun. She said that he told her that in the state of Arizona he did not have to show her. I know that to be false because it is a instrument used against her.

When she and I went to court, we were told by a female clerk that the judge said he was going to be late. When the door to the court room was opened to my daughter and I, we went in and was waiting, the clerk reentered the court room and the Deputy was at the door from the office and came in while the judge stood behind him. I thought this was odd the 3 of them coming in together. The clerk ask us to rise to introduce \_\_\_\_\_ as he stood in the door way.

\_\_\_\_\_ made his way to the bench and started to say that proof was very little. I thought this was odd also. He stated that my daughter still have the options of just paying the fine and doing traffic school. He said \_\_\_\_\_ do you understand what he had just said. My daughter replied that she was \_\_\_\_\_ he apologize and said \_\_\_\_\_ do you understand. She said yes. He then said the officer will go first and give his testimony and she can question him after. The Deputy gave his version of what cause him to pull over my daughter. The things that were noted was he started out calling my daughter \_\_\_\_\_ and my daughter again had to correct that her gender was female. The other thing was that he clearly stated that he turned on the radar after she passed him going in opposite direction to have a good tracking record. He passed my daughter while going under the railroad trestle. She was stopped only a 8<sup>th</sup> of a mile away, it would have been beyond the round about area if her front wheeled drive \_\_\_\_\_ was indeed speeding from the railway trestle overpass making a hard right. He also stated that the paper work was not completed.

Upon questioning, my daughter asks him why he did not show her the radar gun he was using. He stated that it was because he had guns inside the vehicle. She asks him did he have the serial number of the radar gun, he stated no. She asks him if he had training, he stated he had training \_\_\_\_\_ years ago and he did not need training and that the gun was newly installed a month ago. She also asked did he ticket her because she was from out of state.

Being in the I do know that you train on all equipment you use to make sure that your skills set are up to par to perform your duties. Plus the is the only that can go on mere suspicion or just because.

- 1 The Deputy did not have to walk my daughter back to his patrol vehicle to let her see the radar gun. He could have brought it her to make record of and use her camera phone to note the reading.
- 2 Having weapons in the vehicle means that they are locked, and can be safely showed anything to anyone. You do not keep loose weapons inside the vehicle. Clearly a fabrication to justified that he had no real probable cause to cite for speeding.
- 3 It was very clear that the Deputy did not use any tools/equipment to monitor anyone's speed.
- 4 The Deputy thought that once he saw that my daughter's had license plate on the front, she was not from Arizona and was now a target and made a quick u-turn to pull her over.
- 5 The Deputy saw a Black woman who he thought was a Black man from out of state and went into predator mode with a badge to punish.
- 6 The Deputy training should have made sure that the paper work/ticket was completed.

The judge was busy filling out papers, not really paying attentions

- 1 was late because it was clear that he wanted to talk to the deputy before going into the court room.
- 2 clearly wanted to keep the local good old boys (law enforcement and judiciary) club protected in the small rural area where everyone are known to each other.
3. made the quest for fair justice unattainable by not being impartial to the evidences given.
- 4 The rules of judicial conduct raises a substantial questioning of. unwillingness to rule on the evidences.
5. professional Conduct in where he was trying to placate my daughter and I for setting the fate of my daughter's driving record as a violator, saying that he needed to hear from us about what he just did. As I told him that he stacked the deck against us when I said that in federal law enforcement it is all about evidence and that the deputy clearly stated that he only turn on the radar after my daughter pass him going the other way. He said he should have let me say something before he ruled.
6. should not have given the deputy a private meeting before opening court hearing.
- 7 should have had a good knowledge of police practices and what is real and what is fabrications.
- 8 Conflict of Interest (COI) giving the officer a pretrial access.

It is clear that in his court that those who seek fairness are not welcome. I have made inquiries with the and they reported that it was not criminal. So ethically used his position for the protection of one of

2016-326

the locals without facts or probable cause I sent a inquiry to the supervising  
it was returned unopened The protectionism continues

In care of