

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 17-142

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Judge:

Complainant:

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**ORDER**

The complainant alleged a justice of the peace was negligent, ignorant, and biased against 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.

After review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission approved sending the judge an advisory letter regarding Rule 2.7 and recusal considerations. The complaint is dismissed pursuant to Rules 16(b) and 23(a).

Commission members Roger D. Barton, Peter J. Eckerstrom and Diane M. Johnsen did not participate in the consideration of this matter.

Dated: November 13, 2017

FOR THE COMMISSION

/s/ Louis Frank Dominguez  
Hon. Louis Frank Dominguez  
Commission Chair

Copies of this order were distributed to all appropriate persons on November 13, 2017.

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

Comp

2017-142

Case #

Arizona Commission on Judicial Conduct  
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Phoenix, AZ 85007  
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In \_\_\_\_\_ the \_\_\_\_\_ filed the law suit against me at \_\_\_\_\_.  
\_\_\_\_\_ The claim was for \_\_\_\_\_. I  
immediately filed the counterclaim with the same Court claiming fraudulent schemes as  
a reason for not paying the last bill. Hon. \_\_\_\_\_ was assigned to this case.

I have seen evidence of Hon. \_\_\_\_\_ negligence, ignorance and biases against  
me which led me to believe they could prevent or hinder me from receiving full, fair,  
impartial hearings and the full, fair, impartial administration of justice.

Since the claim was filed, the Judge committed or allowed the Court's clerks commit  
numerous violations of the Judicial Performance Standards.

1. \_\_\_\_\_ (the Plaintiff) is a corporation. The statutory agent of the \_\_\_\_\_  
The \_\_\_\_\_ filed the claim to collect  
debt. According to the Rule 31(d)(3). "

\_\_\_\_\_ didn't submit such authorization.

2. **The Plaintiff didn't answer my counterclaim** and after I went to the court to file Motion for Default Judgement. The [redacted] told me that I have no right to file such motion because the **Plaintiff doesn't need to respond** to my counterclaim. I left the Court being confused because the court form clearly stated that the Plaintiff has [redacted] to respond. Later I called the court and spoke to [redacted] who told me to come back and file Motion for default judgement. And I did.
3. On [redacted] the court sent letter scheduling **Pretrial Conference** on [redacted]
4. On [redacted] the Plaintiff sent letter to the court (and copy to me) asking court to reschedule the Pretrial Conference claiming that (1) "[redacted]" and (2) she just received the letter from court (over [redacted] later after the letter was sent by the court). This is a lie. Since [redacted] until [redacted] received my certified correspondence [redacted] as tracking information indicated. **This is perjury.**
5. **No letter** about Judge's decision regarding the Pretrial Conference date was sent. I just called the court and found out that the Pretrial Conference was not rescheduled.
6. I attended the Pretrial Conference, **the Plaintiff didn't.**
7. The Judge **dismissed the Plaintiff's case without prejudice.**
8. I tried to inform the Judge that the Plaintiff committed perjury but the **judge interrupted me and didn't let me talk about perjury.**
9. **No letter** about dismissed case was issued.
10. **The letter** about rejecting the Plaintiff request for rescheduling the Pretrial Conference **was sent** [redacted] **when the Pretrial Conference took place.**
11. After Plaintiff's case was dismissed I asked the court if I am the Plaintiff now. I was told " [redacted] ",
12. I called the [redacted] and asked the same question. I was told that I am a Plaintiff because only my counterclaim remains.
13. The second Pretrial Conference was scheduled for [redacted]
14. Before that date I received the letter from the Plaintiff counsels asking the court to add them to litigation.
15. **No Stipulation to Use of Attorney** was offered to me to sign.
16. **No letter** from the Judge indicating the admission of the counsels.
17. Since that time the Plaintiff is represented by the counsels.
18. During the second Pretrial Conference the Judge announced that the case is "[redacted]" " [redacted] ". Shouldn't it be all the way around because [redacted] claim was dismissed?
19. The Plaintiff's counsel was present. We didn't settle the claim and the Trial date was scheduled for [redacted]

20. After the Pretrial Conference I called the court and asked for the letter confirming that the Plaintiff's claim was dismissed. I was told by [redacted] that there will be no such letter and the Judge's Decision is on record. I was begging to send me the confirmation of the Plaintiff's case status but [redacted] said that it was not possible.
21. [redacted] later such letter about dismissal of the Plaintiff's case arrived.
22. The Plaintiff's counsels immediately demanded to reinstate their case due to the Court error.
23. The Judge scheduled oral argument for this matter for [redacted].
24. The counsels asked to postpone it and filed Motion for Summary Judgement.
25. Judge **reinstated their claim** (no letter indicating the Judge decision regarding the Plaintiff's claim reinstatement) and scheduled the Oral Argument for the Plaintiff's Motion for Summary Judgement.
26. I performed my duties as a defendant/counterclaimant diligently but the Plaintiff/counter-defendant didn't. Now because the Judge's negligence I am in the disadvantaged position in this litigation.
27. Hon. [redacted] satisfied all Plaintiff/Counter-Defendant's demands and completely ignored mine: (1) Plaintiff-Counter-Defendant's counsels asked Judge to reinstate their case. Their case was dismissed when the Plaintiff didn't show up for the first Pretrial Conference. She had opportunity to call the court and find out what date is like I did. The judge reinstated their case; (2) The Plaintiff/Counter-Defendant's counsels asked Judge to change the Trial date because they wanted to attend a conference. Although they had over [redacted] to plan their activity, the Judge changed the Trial date. I am a [redacted] and made my plans around [redacted] and the Trial's date. I filed Motion to object the change of the Trial's date. The Judge ignored my motion and changed the Trial date as the Plaintiff/Counter-Defendant's counsels requested.

Hon. [redacted] do not FAITHFULLY and CONSISTENTLY adhere to [redacted] oath of office and aggressively pursue justice for ALL. It looks like Hon. [redacted] favored the Plaintiff/Counter-Defendant.

Due to Hon. [redacted] negligence and incompetence the simple case that already lasts for [redacted] is turning against me.

I understand that filing this complaint put me at risk of retaliation from Hon. [redacted]. Nevertheless, I am asking the Commission to discharge Hon. [redacted] from her duties.