

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 17-150

Judge:

Complainant:

ORDER

The complainant alleged a municipal court judge was biased against her and refused to rule on her motion to dismiss in a criminal case.

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: August 2, 2017

FOR THE COMMISSION

/s/ George A. Riemer

George A. Riemer
Executive Director

Copies of this order were distributed to all appropriate persons on August 2, 2017.

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

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2017-150

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

0 Judicial misconduct committed: BIAS, Prejudice,
ON Judge expressed facial
expression of contempt dislike of the defendant
when I would speak and ask
questions regards to the motion to dismiss and
even when the judge first entered the room
when looking a defendant he frowned and barked
his eyes as if he had seen something frightening.

Rule 2.5 Competence, Diligence

I filed a motion to dismiss
and the judge in question would ^{not} rule. instead
stating he would need more time. all though all
the evidence presented suggested an emergency
hearing. The judge sided with prosecutor
although the prosecutor was made aware of
motion and had time to collect evidence and
witness to be used during hearing. I requested
a hearing for a motion to dismiss and the judge
instead moved up the trial hearing. Completely
disregarding the motion to dismiss. Judge
refused to hear disputed parts at
the motion to dismiss hearing instead stating
that the emergency hearing would take just as

