

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-009

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Judge:

Complainant:

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**ORDER**

The complainant alleged a justice of the peace failed to appropriately supervise court staff and failed to correct a fraud upon the court in a small claims matter. The complainant also made claims against a court employee over whom the commission lacks jurisdiction.

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: February 21, 2018

FOR THE COMMISSION

/s/ Margaret H. Downie

Margaret H. Downie  
Executive Director

Copies of this order were distributed to all appropriate persons on February 21, 2018.

*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**

2018-009

**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.

First of all the Court is a Court of Record. You have access to the audio proceeding of the trial, of which may validate the Complaint at least in part. The Court Concur about records of the Proceedings dated \_\_\_\_\_

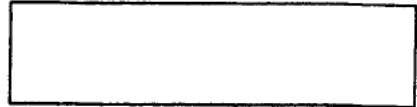
Small Claims is the Main witness against \_\_\_\_\_ and \_\_\_\_\_  
Included in this Complaint is \_\_\_\_\_ Certified  
dated \_\_\_\_\_ Addressed to \_\_\_\_\_  
: \_\_\_\_\_ Also \_\_\_\_\_ Cert. Mail # \_\_\_\_\_  
- To \_\_\_\_\_

Dated \_\_\_\_\_ On or about \_\_\_\_\_ telephoned \_\_\_\_\_  
Spoke with Court Clerk \_\_\_\_\_  
in reference to an Amended filing for the Agent Owners \_\_\_\_\_  
told \_\_\_\_\_ Not to Mail the Amended  
filing but rather just bring it to trial. At trial,  
stated to \_\_\_\_\_ "you've got/have the wrong defendant.  
intentionally misdirected \_\_\_\_\_ efforts  
to have a just trial. And Judge \_\_\_\_\_ seemingly Co-conspired.  
The day of trial, \_\_\_\_\_ gave 3 copies of exhibits to  
young male Court Clerk. Some time later \_\_\_\_\_ returned  
with the 3 copies in hand, she had not followed due process  
of Law by stamping each copy as exhibits into the Court  
record, and saying as she handed the 3 copies to  
"take these into trial court. See enclosed pertinent copies.

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Judy Violated due process of Law: A. Misdirected  
with the addendum to amended Filing motion to add Party 1  
Co-Defendent. During trial \_\_\_\_\_ made no effort  
to correct the fraud by Court Clerk \_\_\_\_\_ Having exhibits  
entered into evidence w/ stamp. The Judge stated during  
trial: you have the wrong defendent and he made no  
effort to correct this. \_\_\_\_\_ stated during the  
Court hearing process: the Court Clerk \_\_\_\_\_ refused  
to stamp these three copies, the Judge again  
defrauded \_\_\_\_\_ by his silence & unwillingness  
to correct the fraud & went on with the proceedings.

Court, Judge, Clerk Violations:  
Arizona Constitution Article 11 #4. Due Process of Law  
Section 4. No person shall be deprived of life, liberty, or  
without due process of law.

U.S. Constitutional Amendments Violations

- 1. Amendment V. . . Nor be deprived of life, liberty, or  
property without due process of law.
- 2. Amendment XIV. . . Nor shall any State deprive any person  
of life, liberty, or property without due process of law;  
Nor deny to any person within its jurisdiction the  
equal protection of the law.

2  
Counts

# Violations of ARIZONA CODE OF JUDICIAL CONDUCT

by: \_\_\_\_\_ and Court  
Clerk: \_\_\_\_\_

## Canon 1

### Rule 1.1. Compliance with the Law

A Judge shall comply with the Law, including the Code of Judicial Conduct.

### Rule 1.2.

Comment #5. Actual improprieties include Violations of Law, Court Rules...

### Rule 2.2. Impartiality and fairness

A Judge shall uphold and apply the Law, and shall perform all duties of Judicial office fairly and impartially

### Rule 2.3. Bias, Prejudice and Harrassment

(B) ... and shall not permit Court staff, Court officials, or others subject to the Judge's direction and control to do so.

## Rule 2.12. Supervisory Duties

- (A) A Judge shall require court staff, court officials, and others subject to the Judge's direction and control to act in a manner consistent with the Judge's obligations under this code.
- (C) a Judge shall require staff, court officials, and others subject to the Judge's direction and control to comply with the provisions of the Code of Conduct for Judicial Employees adopted by the Supreme Court.