

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-127

Judge:

Complainant:

ORDER

The complainant alleged a superior court judge improperly denied him a jury trial and improperly entered judgment against him in a civil matter.

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: July 5, 2018

Copies of this order were distributed to all appropriate persons on July 5, 2018.

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

**Arizona Commission on Judicial Conduct
1501 W Washington St, #229, Phoenix AZ 85007**

Plaintiff –

Vs

Case:

Defendants –

**MOTION FOR RECONSIDERATION
DUE TO JUDGE MISCONDUCT**

Judge _____, without hearing any testimony or viewing evidence promised a Summary Judgment against me for the Defendant's attorney fees. Currently, I have not received a copy of any Judgment. So, before one is entered, I am asking for reconsideration. Judge _____ recused himself _____ after the bizarre ruling.

I strongly object to the dismissal of my case and the awarding of Attorney fees for the following reasons. The main reason being Judge _____ recused himself.

1. No hearing on the merits ever occurred. The Court, I would think, should value the facts before making a ruling. If the facts would be heard, the court would know

- That the tenant/defendants were _____ delinquent in rent when they were evicted with Forcible Detainer eviction action.

- That the tenant/defendants abandoned the property with only _____ notice, without returning keys to the dwelling or the corner remote mailbox.

- That the tenant/defendant never paid a damage deposit upon moving in.

- That the tenant/defendant stole the Corian countertop, kitchen sink, faucet, microwave, smoke alarms and pool filter equipment (pump and filter system).

2. A Jury trial was in process of being scheduled. A court date was scheduled to determine timelines and procedures for choosing a jury. Judge said that instead of a jury trial, he would give me a fair hearing on the merits. He promised a fair hearing. He made this promise " " I believed Judge when he said he'd give me, Plaintiff, a fair hearing. Judge then, later, communicated that instead of giving me a fair hearing, he was going to award a summary judgment against me on . Not fair!! None of the merits were ever discussed. The judge stated that I needed to settle with the defendant's attorney and agree to pay his attorney fees, or on he would award **any and all attorney fees** that Attorney would ask for. Not fair!!

I came to that court hearing to discuss timelines and instructions for choosing a jury. Judge promised in lieu of a jury trial, that he would give me a fair hearing on the merits. Then he reneged and promised a summary judgment on if I did not agree to pay Attorney fees. I had no choice but agree. I felt like it was a gun-to-my-head ultimatum. after I was forced to agree to a judgment against me, the judge recused himself. I was denied a hearing by a Judge who recused himself. **I believe that all action taken by a RECUSED Judge should be stricken. Rulings made and actions caused by a RECUSED Judge should be null and void. The gun-to-my-head ultimatum by the Judge should be void due to his recusal. Whatever the reason was for Judge to recuse himself after the hearing existed prior to the hearing and certainly at the time of the hearing. For that reason all threats, actions and decisions made at that hearing should be void.**

3. The correct party to the lawsuit should be , not my personal name. My personal name should not be a party to this case. The lease, the Forcible Detainer eviction action, and the deed to the property was under the name . I was owned solely by my ex-wife. I was not, and am not, an owner of the property or the lease and should not be a party to the lawsuit. This deserves correction. If the Courts are intended to act in the name of fairness or justice, the action that occurred in Judge court, for which he recused himself, needs to be reconsidered. In the name of fairness and justice, this case needs reconsideration. Please schedule a hearing so that can have an Attorney explain the situation. It is unfair that an judgment by a recused Judge would stand. **The Defendant's lawyer works for .**

Request made by Plaintiff,