

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-167

Judge:

Complainant:

ORDER

The complainant alleged a hearing officer made factual errors, was biased against him, failed to justify his ruling and failed to rule correctly.

The responsibility of the Commission on Judicial Conduct is to impartially determine if a judicial officer 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 a judicial officer's rulings. In addition, the commission found no evidence of ethical misconduct and concluded that the judicial officer 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 23, 2018

Copies of this order were distributed to all appropriate persons on August 23, 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

2018-167

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.

_____ VIOLATED ARS CODES OF CONDUCT
THAT FOLLOWS:

- FAIRNESS
- HONESTY
- NON-BIAS
- EVIDENCE
- IMPARTIALITY
- REASONABLENESS
- RATIONAL DECISIONS
- INTEGRITY
- RESPECT
- IMPROPRIETIES

THE BASICS FOR THE ABOVE IS DETAILED IN
MY ATTACHED LETTERS

1. MY LETTER DTD _____ TO _____

2. MY LETTER DTD _____ TO _____

3. MY LETTER DTD _____ TO _____

_____ (SAME) AS
RE-DATED) _____

Attention: _____

Subject: Unethical Behavior-

Attachments: 1.

Judgment

dated

2. My Hearing File

_____ an _____ is unethical, arrogant, nasty and incompetent. He is an embarrassment to _____. He lied and was extremely disrespectful at a recent Hearing of _____. He failed to adhere to the ARS which states "the court shall apply the law fairly, treat people with respect".

The following are some of the reasons for the above summary statement:

1. In the _____ Judgment dated _____ states
"_____". This is not true. There is no _____ statement of "_____". _____ was advised by Plaintiff that the only person who did work _____ was the Defendant. There has been no one on _____ doing _____ I confirmed this with tenant who has emailed me the same. It should be noted that the Defendant's Installation Proposal and Contract states "_____". The Defendant did not provide any evidence of who may have _____ did not state that the anything to do with _____ In spite of all the above _____ acted like a defense attorney for _____ by only questioning me with regard to the _____ ?
3. The _____ states "_____". This is untrue. I have attached a copy of the documents taken to the Hearing. Also it should be noted that I provided _____ for his review—costs documents, _____ email and several other documents. Please note that the summary cost data sheet includes a request for reimbursement for an extra trip because the Defendant did not show up. _____ denied this and his cross out can be seen on the document.
4. I advised _____ that the Defendant failed to go inside the house to check out where _____ responded with "_____ ?" without explanation. I do not understand why _____ who was there to _____ would not want to see _____ failed to ask Defendant why he did not go inside.
5. _____ failed to provide evidence how the penetrations were related to _____ than proceeded to interrogate me again. He was acting like the defendant's attorney again and a _____ He had several more question. _____ again ignored the _____ ; silence with regard that this area did not effect/cause _____ He had not asked the Defendant a single question?

6. The _____ stated the Defendant denied that he caused any _____ and _____ stated he believed him. There was no evidence presented. I am uncertain how _____ came to his conclusion? The defendant had no idea where _____ were but _____ where ever they are they are not his fault? Makes no sense. _____ Failed to explain how all the workmanship issues noted in _____ email occurred. _____ failed to response.
7. _____ had been influenced by Defendant on the issue that a mystery man appeared _____ and did some _____ which violated the warranty. This has not been validated by evidence. I did receive a letter from Defendant's attorney regarding that he may sue me if I did not drop my complaint. At this point I asked the tenant if she had any knowledge of anyone _____ She provided me several emails stating no one has _____ She did state that there was someone (

To fairly resolve this case I believe that a re-trial is necessary with an unbiased /competent judge. _____ owes the court answers to the following;

1. Why did _____ lie about it being a _____ ?
2. Why did _____ lie about the property being _____ ?
3. Why did _____ lie about the amount of documentation the Plaintiff had? Copy of documentation taken to Hearing attached.
4. Why did _____ not identify the documentation the Defendant had which consisted of only _____ ?
5. Why did _____ not request evident from Defendant regarding mystery man who _____ ?
6. Why did _____ accept without evidence that the Defendant's workmanship did not _____ ?
7. Why did _____ ignore the _____ issues identified in his email? It should be noted that fixing the repairs identified in his email fixed _____ It should also be noted that NO _____ Based on the above _____ has been less than fair as required by the ARS. _____ is either unethical and/or incompetent.

If you have any questions, please call me at _____ or email me at _____
 Thanks