

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 18-324

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Judge:

Complainant:

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**ORDER**

The complainant alleged a justice of the peace violated Rules 2.2, 2.3, 2.5, and 2.6(A) of the Code of Judicial Conduct.

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).

Commission member Christopher P. Staring did not participate in the consideration of this matter.

Dated: February 13, 2019

Copies of this order were distributed to all appropriate persons on February 13, 2019.

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

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

18-324

**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.

I believe that Judge \_\_\_\_\_ violated the following Rules of the Arizona Code of Judicial Conduct:

Rule: 2.2  
Comment 1 & 2

2.3  
Comment 2

2.5  
Comment 4

2.6  
(A)  
Comment 1,2

See Attached Letter for details

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Date:

To Whom It May Concern and commission:

This letter and complaint is being sent in regards to my Case in the County of  
 State of Arizona case number My case was not a  
 fair or un-bias one of which Judge presided in she neglected and  
 overlooked her responsibilities as a judge and address the actual case facts. Her  
 lack of performance has caused me much grief and financial loss and I want this  
 matter to be addressed. I am extremely upset and I have traveled over  
 miles and spent several to be at the court to present our case.

Court Issues:

- I got the impression that the judge didn't want to listen to my whole case she asked me twice during my testimony if I was done presenting my evidence. Judge asked me How much longer I had when clearly she had the my and cloud see that I was only half way done.
- She made faces as if she was bored with the case.
- During the trial other cases interrupted my case so that he could address their issues, I felt she was not focused on my trial.
- I felt rushed to finish my evidence because she wanted to end the hearing and go somewhere.
- I was not allowed to discuss or do a cross examination of evidence and how it didn't support any of his claims in his
- Judge openly ignored the facts of the case. It is evident that the all the evidence was not reviewed or used to make a decision.

Judge Findings...

SECTION 1:

In the above-entitled the plaintiff did not file his complaint claiming the defendant violated a specific Arizona statute.

1. I filed the complaint using the " form found on line through the direction on the

I also \_\_\_\_\_ to a clerk on how to fill out the form on two different occasions and clerks \_\_\_\_\_ I told them what I put on the form and they told me that it was correct. Also several \_\_\_\_\_ employees including \_\_\_\_\_ (the Judge) had and seen the form prior to the trial, and if it was filled out incorrectly then why wasn't I notified prior to the trial?

2. As part of my testimony I read from article ARS 44-1522 or exhibit \_\_\_\_\_ which is part of the evidence that I presented to the court. So if I did not accurately fill out the form and did not address a specific state statute of which \_\_\_\_\_ on why didn't anyone these individuals say so, including Judge \_\_\_\_\_ prior to the case?
3. Finally Judge \_\_\_\_\_ knew that neither \_\_\_\_\_ nor I are a licensed attorney, so why did she ask at the beginning of the trial what state statute was my case built on?

The court finds that the plaintiff did not prove by a preponderance of the evidence that defendant misrepresented the condition or specifications of the \_\_\_\_\_ that is subject in the case.

1. At the \_\_\_\_\_ of the trial Judge \_\_\_\_\_ stated that all I had to do was provide \_\_\_\_\_ of evidence in order to win the verdict. Judge \_\_\_\_\_ findings based on the lack of the \_\_\_\_\_ evidence and the abundance of mine is absurd! I have over \_\_\_\_\_ of substantiated evidence that are FACTS vs. \_\_\_\_\_ give from the defendant. None of the defendant's \_\_\_\_\_ showed any evidence that the improvements that the defendant wrote in his \_\_\_\_\_ were true. I had \_\_\_\_\_ that stated the claims in the \_\_\_\_\_ were not completed on the truck. I also described in detail the condition of the truck via testimony and pictures that the defendant's claims were not true!
2. As part of the trial the defendant had one of his witness's testify in his behalf who was his mechanic. During my cross examination I asked the mechanic if he had ever provided or done any major service to the truck of which he said NO. Yet his invoice was one of the \_\_\_\_\_ that the defendant provided and his own witness and invoices didn't support the claims in the defendant's \_\_\_\_\_

In addition, testimony was presented that the \_\_\_\_\_ took place over \_\_\_\_\_ months and the plaintiff had an opportunity to inspect the vehicle as well as has a professional inspection, prior to the completion of the transaction.

1. What difference does it make \_\_\_\_\_ the sales transaction took? Does a long sales transaction give a seller the right to misrepresent and state false facts in their \_\_\_\_\_ about the item being sold? This statement is insane!
2. What the Judge is overlooking is several facts. I was located over \_\_\_\_\_ away, and I was lied to from the defendant and his \_\_\_\_\_

mechanic about what work had actually been done to the truck. Neither the defendant nor his mechanic can provide any documentation supporting the claims in the

3. I am not a " " expert or mechanic so I have to rely on the defendant statements and other material's that was told to me prior to the purchase. I ask the defendant on two different occasions for invoices or documentation that showed any service history to the truck. The defendant stated that he didn't have any, yet he was able to generate it for the trial. And if the sale's process took so long then why didn't the defendant use that time to locate the documentation for me prior to the purchase?
4. clearly states the service provide by was for service and checking the : not a that I requested. Why couldn't the Judge read the invoice to understand what services were actually provided and the notes that state what had requested be done to the truck? Judge once again ignored the facts.
5. Truth is I NEVER had a inspection. Those words were never written on the invoice so how did she determine that a pre-service or " " was done prior to the purchase? I didn't know this until after the purchase of the truck because an invoice was never proved to me.
6. Finally, I asked the defendant in court can you show me any invoice or proof that the claims you made in the regarding the that he said were done had be completed by a mechanic. The defendant relied no. Why was this ignored in the ruling?

Further, the Bill of sale for the transaction of the vehicle between the plaintiff and defendant states that the vehicle is sold " ". In addition the clause

"

1. As is and sold as accepted are not an excuse that a seller can use as an excuse for not disclosing or withholding material facts as per ARS 44-1522 of the state statue. Judge ignored that statue as part of her responsibility to me.
2. The bill of sale that I provided does not use the words " " so why did she use that phrase in her decision? If Judge read the complete bill of sale (it is a bill of sale) the follow sentence is in the document. "

". Why wasn't the sentence used or has any weight in her ruling for me? She is bias towards the defendant!

**THE COMMISSION'S POLICY IS  
TO POST ONLY THE FIRST FIVE  
PAGES OF ANY DISMISSED  
COMPLAINT ON ITS WEBSITE.**

**FOR ACCESS TO THE  
REMAINDER OF THE  
COMPLAINT IN THIS MATTER,  
PLEASE MAKE YOUR REQUEST  
IN WRITING TO THE  
COMMISSION ON JUDICIAL  
CONDUCT AND REFERENCE  
THE COMMISSION CASE  
NUMBER IN YOUR REQUEST.**