

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-001

Judge:

Complainant:

ORDER

June 10, 2019

The Complainant alleged a justice of the peace improperly failed to recuse, issued an improper decision, failed to follow applicable procedures and was rude to her, exhibiting a poor demeanor.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

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

Copies of this order were distributed to all appropriate persons on June 10, 2019.

I wish to lodge a formal complaint against _____, a Justice of the Peace in _____ County
_____. I have a case pending before this judge

Case number:

Attorney appearing in this case:

I understand that the Commission cannot reverse a judge's orders or assign a new judge to the case. I affirm under penalty of perjury that the foregoing information that the information and allegations contained within this complaint are true.

On several occasions, regarding _____, I requested a change of judge as a matter of right, and that did not occur. Based upon our request, and possible prior contact with both myself and _____ should have recused _____ I knew that _____ would not be fair. I am also alleging that Judge _____ has a friendship with _____, and has spent the entirety of the case attempting to protect _____ and the interests of _____.

During a hearing, based upon a reply submitted by _____, to a non-existent motion a hearing was held. I filed an answer to that reply asserting that _____ had filed a fraudulent pleading, since I had not, at any time filed a motion to waive the _____. Yet _____ asserted I had done so. The judge, during the hearing, only allowed a 'conversation' between _____ and _____, which was unfair and inappropriate. Judge _____, misrepresented the facts when ruling that the 'motion' was moot, even though there was no such motion.

On another occasion, I filed a motion relative to my appeal. Judge _____ refused to rule on it. (It was regarding getting _____ as to what had been _____.) Judge _____ refused to rule on it and put it under advisement, with the due date being after the appeal would have been due at that time. (_____, was the due date for the under

advisement ruling.) took no action on it.

Recently, pursuant to Superior Court Rules of Appellate Procedure -Civil, Rule 8, I filed a Motion for New Trial, and a Motion to Strike, which was supposed to suspend the appeal proceedings pending rulings on those motions. I specifically directed this rule to the attention of _____, who _____ stated that they would adhere to that rule. However, they did not do so, but rather, forwarded them _____. The _____ judge referenced it within the appeal, which should not have happened, but that is another matter. But, what I believe is another attempt to cover-up for _____ Judge _____ ruled on the _____, even though she has no jurisdiction to do so. It was a _____', filed within the context of the appeal, not _____ appeal. _____ the motion and ruled, without specifying why that there were no legal grounds for a new trial. _____ has usurped the authority of the _____, and, the motion itself was captioned " _____.." and labeled as " _____". I do not believe that this was incompetence, but deliberate error on Judge _____ part.

It is my assertion, that the same manner _____ addressed me during my _____ during the early _____ is the same rudeness which I anticipated when requesting a change of judge.

It is my allegation, assertion, and belief that Judge _____ is acting and has been acting with a bias and providing preferential treatment to _____.

Sincerely,