

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-025

Judges:

Complainant:

ORDER

June 19, 2019

The Complainant alleged a justice of the peace, municipal court judge, and a retired superior court judge did not follow the law or constitution.

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 does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. 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).

Copies of this order were distributed to all appropriate persons on June 19, 2019.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2019-025

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.

The continued reach of contracts of the other of office by the states assigned employees in the past matters of my individual situation and federal regulations state constitutions and non apical state statute. Has left me no other choice than yo inavt the ignored state constitutional right Artical 2 section 1 and 2 and 3 and 4 . These I feel are above any thing in the contract and will hold the day .

A meeting with the Senate and house judiciary legislative body as well as the comicon on judicial conducte is in order to ready the allegations with the evidence being the self incrimanating facts of historic public record.

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From:
Sent:
To: Commission on Judicial Conduct <CommissionJudicialCo@courts.az.gov>
Subject: Re: Emailing ComplaintForm.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My apologies as stated in the NEW complaint all past complaints and current New Judge of the court in county and the previous traffic situation that put me in this situation however construed by not laws however state statutes **I thought that by all right in attempt to police civil obligations to the community would suffice , Judge**

I feel i want a meeting simultaneously with the senate and house judiciary comity to resolve the remedies required by federal statutory procedger and backed by Arizona

#1.

a police report on the judges desk with a police obtain phone record at the sheriff allred's order to obtain the police report by a complaint made by my self.
with the plaintiff saying we had no such agreement .
contradiction my witness accounts and a police report that stated telling me he would not give the rock back because i called the
cops.? against court public explanation of the justice courts rules pf procedure . as well as in combination with Arizona constitution article 2 section 1. If you request already public record i can provide all of my coppys to the best of my ability . to test the honesty of these alleged oath breakers. the is gettin a copy of this questionable email as well . not from the office of judicial CONDUCT.

1. After legal service, the defendant has a limited time (usually 20 days) to file a written answer back to the court and send a copy to the plaintiff. The answer is to strictly conform to the legal format, which is to either admit or deny each individual accusation found in the complaint. Generally, if a particular allegation is not denied in this manner, under the law it is deemed admitted and is not at issue at trial (the plaintiff wins). One of the biggest mistakes that do-it-yourself defendants make, is to categorically deny the claim, such as "I don't owe them anything," or "they can't prove it." This is not a legally adequate denial because it is too general. Legally, by

answering that way and not denying each separate part of the complaint's claims, the defendant may have just admitted the entire complaint (the Plaintiff wins)

#2 I was also said a summons to address another issue was served to me by him it was not and never happen he violated his oath of office.

i am ampalaya with out an option of can i grasp the thoughts of this blatant exercise of extrengenyt fraud against my character for so long showing there ability to undermine civil rights and rights to reputation creatinine me the victim . so the community decided to steal from me to because they did. article 2 section 3

Statutes, Acts, police. / Ordinances and Codes ARE NOT LAWS

Statutes,acts,ordinances and codes ARE NOT laws, they are legislative "RULES" of a society. Legislative rules of a society are given force through law. Law proceed rules

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Maxim of law: Government can only control what it creates. (The power which is derived cannot be greater than that from which it is derived.)

U.S. Constitution, Article Six, Clause 2: (The Supremacy Clause of the U.S. Constitution)

"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

Marbury v. Madison : 5 US 137 (1803):

"No provision of the Constitution is designed to be without effect," "Anything that is in conflict is null and void of law", "Clearly, for a secondary law to come in conflict with the supreme Law was illogical, for certainly, the supreme Law would prevail over all other laws and certainly our forefathers had intended that the supreme Law would be the bases of all law and for any law to come in conflict would be null and void of law, it would bare no power to enforce, in would bare no obligation to obey, it would purport to settle as if it had never existed, for unconstitutionality would date from the enactment of such a law, not from the date so branded in an open court of law, no courts are bound to uphold it, and no Citizens are bound to obey it. It operates as a near nullity or a fiction of law."

(If any statement, within any law, which is passed, is unconstitutional, the whole law is unconstitutional.)

U.S. v. Butler. 279 U.S. 116 (1929):

"The judicial branch has only one duty, to lay the Article of the Constitution which is involved beside the statute (rule or practice) which is challenged and to decide whether the latter squares with the former."

Norton v. Shelby County 118 USR 425 (1886):

"An unconstitutional act is not law. It confers no rights, it imposes no duties, it affords no protections, it creates no office. It is in legal contemplation as inoperative as though it has never been passed."

"The court follows the decision of the highest court of the state, in construing the constitution and the laws of the state unless they conflict with or impair the efficacy of some principle of the Federal Constitution or of the Federal Statutes or rule of the commercial or general law. The decision of the state court's in questions relating to the existence of its subordinate tribunals and eligibility in elections or appointment of their officers and the passage of its laws are conclusive upon Federal Courts. While acts of de facto incumbent of an office lawfully created by law. An existing or often held to be binding from reasons of public policy. The acts of the person assuming to fill and perform the duties of an office, which does not exist, can have no validity whatever in law."

16Am Jur 2d., Const. Law Sec. 70:

"No public policy of a state can be allowed to override the positive guarantees of the U.S. Constitution."

16Am Jur 2d., Const. Law Sec. 155:

"Since the constitution is intended for the observance of the judiciary as well as other departments of government and the judges are sworn to support its provisions, the courts are not at liberty to overlook or disregard its commands or counteract evasions thereof, it is their duty in authorized proceedings to give full effect to the existing constitution and to obey all constitutional provisions irrespective of their opinion as to the wisdom or the desirability of such provisions and irrespective of the consequences, thus it is said that the courts should be in our alert to enforce the provisions of the United States Constitution and guard against their infringement by legislative fiat or otherwise in accordance with these basic principles, the rule is fixed that the duty in the proper case to declare a law unconstitutional cannot be declined and must be performed in accordance with the delivered judgment of the tribunal before which the validity of the enactment it is directly drawn into question. If the Constitution prescribes one rule and the statute the another in a different rule, it is the duty of the courts to declare that the Constitution and not the statute governs in cases before them for judgment."

16Am Jur 2d., Const. Law Sec. 255:

"In all instances, where the court exercise it's power to invalidate legislation on constitutional grounds, the conflict of the statute, with the constitution must be irreconcilable. Thus a statute is not to be declared unconstitutional unless so inconsistent with the constitution that it cannot be enforced without a violation thereof. A clear incompatibility between law and the constitution must exist before the judiciary is justified holding the law unconstitutional. This principle is of course in line with the rule that doubts as the constitutionality should be resolved in favor of the constitutionality and the beneficiary."

16Am Jur 2d., Const. Law Sec. 257:

"The actual existence of a statute prior to determination, that it is unconstitutional is an operative fact and may have consequences which can not justify being ignored, when a statute which has been in effect for some time is declared unconstitutional, questions of rights claimed to have become vested of status of

**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.**