

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 19-264

Judge:

Complainant:

ORDER

November 13, 2019

The Complainant alleged a justice of the peace failed to timely transmit an appeal.

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 Commission Rules 16(a) and 23(a).

Commission members Christopher W. Ames, Colleen E. Concannon, George H. Foster, Jr., Christopher P. Staring and J. Tyrrell Taber did not participate in the consideration of this matter.

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

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

FOR OFFICE USE ONLY

19-264

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.

Justice _____ failed to complete his duty to send the fully briefed appeal on this matter to the _____ Court. _____ filed a timely appeal and an application to waive appeal bond since he is _____ and was granted a fee waiver. Under the holdings of *Boddie v. Connecticut* an appeal bond for a civil case cannot be charged for a person who cannot afford it. This failure to allow _____ litigants to have a civil appeal violated procedural due process and perpetuates errors of the lower court which occurred. Clearly, the attorneys for _____ committed fraud in the lower court and lied when they claimed rent was not paid, even though _____ collected rent from both _____ and another program so essentially _____ committed rent fraud and perjury and this needs to be heard on appeal, which it was not and thus it is grounds to censure Justice _____ for failing to transfer the fully briefed file to the _____ Court to have the appeal.

/s/

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