

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 20-065

Judges:

Complainant:

ORDER

June 18, 2020

The Complainant alleged that a pro tem justice of the peace erroneously found her guilty of misdemeanor charges and failed to review video evidence in her presence; she also alleged that a superior court judge erroneously denied her appeal in that matter.

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 member Denise K. Aguilar did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on June 18, 2020.

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

FOR OFFICE USE ONLY

2020-065

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.

Public Corruption

Please explain the entire circumstances surrounding your complaint below:

Case # _____ I have mailed hard copies of this information three times in the past to the civil rights agency and they have recently directed me to contact this agency. On _____ I was falsely accused of criminal damage and disorderly conduct. The store surveillance camera shows that I never did anything that I was accused of. However, my video of said proof was taken from me by Judge _____ after being humiliated in the _____ Justice Court by _____ and Sheriff _____ as well as the plaintiff, _____ and ner boyfriend _____ I attempted to send my proof to the Superior Court of Appeals where once again, my case could not have been reviewed nor the video viewed. Not only was I falsely accused, but statements about my ethnicity were made against me by the plaintiffs and during interview by _____ When taking this to his superiors, I was told there was a witness. I know for a fact there was no witness in the area we were in because I was there. There were many boxes, a long hallway and no windows. I promise you there were no witnesses. I know bringing these allegations against a Judge, _____ and Superior Court Judge could be dangerous, but I must stand my ground of innocence and contest the violation of my civil rights and extortion of funds that were unfairly taken from me _____ indicated that I am "angry with the process and offended that I was convicted". He goes on to say that "I did not make a colorable claim that my conviction should be overturned". I am absolutely frustrated over the false conviction and the violation of my civil rights as well as the obvious abuse of the courts authority. The behavior was egregious toward me and I am hoping that now, this fourth time via computer, someone will respond and assist in this unfortunate and hateful situation that took place against me. If someone would obtain and return my original tape and allow unbiased viewing of the tape where it shows my innocence (which I tried to do during my trial), my innocence would be proven and my case could be expunged. This false allegation has affected my employment as an RN, which in over

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Honorable

He could not have honored his position of Supreme Court. If he had looked at the video, he would have seen that I was innocent. I believe he read what _____ wrote and believed him.

I would like to make a point. I asked if I could have an extension at the beginning of my court appearance because my attorney was not able to make it at that particular time. He was in another building and would be only a half hour late. However, after not responding to the Appellant's Memorandum filed on _____ until _____, he was granted an extension. I read the rules thoroughly and I'm sure if I had been just one day late, I would not have been able to be granted an extension, let alone months later. I would have a judgement against me. Why was The _____ County Attorney allowed a month extension and then given even more time? How can he state that this was a clerical error when I was calling and writing and appearing on a regular basis trying to obtain the video that Judge _____ took that proves my innocence. In the meantime, I have been extorted money from false accusations since then. I also attended anger management, which I didn't need to have the fine reduced, which I submitted the information and the fine was never reduced.

I would appreciate the video being obtained and viewed by an honest reputable person from the court so that I can be exonerated of these false allegations and my case expunged along with a refund of all monies paid. I have receipts for what is due to me.

Thank you.

Civil Rights Intake Questionnaire

Your Information		Person/Business in Complaint	
Name:		Name:	
Address:		Address:	
City:		City:	
State:		State:	
Zip:		Zip:	
Phone:		Phone:	

Please indicate which of the following categories applies to your complaint against the person or business listed in the section above. Circle all areas that you believe apply to your situation.

Employment	Housing	Public Accommodations	Voting
Race	Race	<u>Race</u>	Race
Color	Color	<u>Color</u>	Color
National Origin	National Origin	<u>National Origin</u>	National Origin
Religion	Religion	Religion	Religion
Sex/Gender	Sex/Gender	Sex/Gender	Sex/Gender
Age	Disability	Ancestry	Ancestry
Disability	Familial Status	<u>Disability</u>	Disability
Retaliation	Retaliation	<u>Retaliation</u>	
Genetic Information			

When did the act or incident you are complaining about take place? ^{EXTORTION} FALSE ACCUSATIONS

<i>I was accused of scratching a young girl's car. The court hearing judge allowed the officer + plaintiffs not to answer questions during</i>		
First Time:	Last Time:	Continuous: <u>(Yes)</u> or No

cross examination. The worst part was the store surveillance video, the judge took + the courts refuse to return to me. It proves without a doubt that I did not do it. During appeal I know it was not viewed. If it were, the case would be dismissed. I have

PLEASE SEE ATTACHED

STATEMENT OF FACTS

On [redacted] I, the Appellant, [redacted] was accused of road rage because I parked next to the victim [redacted] and her friend, [redacted] after an incident on [redacted] Highway heading west as approaching [redacted]. During the investigation, [redacted] indicated that I refused to allow her to get in front of me when her merge lane was ending. Based upon the timeframe when [redacted] chose to enter the ongoing traffic which was past the right turn only arrows and clearly in the intersection of [redacted]

[redacted] she was not observing the legal safe driving practice rules which caused the car behind me to come to a screeching halt and my car went skidding off the pavement to prevent an accident. When we both arrived in the parking lot of the [redacted] Store I thought of speaking to the driver to talk about the time of year and the necessity to be diligent in her driving so as not to become a victim or cause others to become endangered. There was absolutely no intent of malice toward the driver. When I approached her car, I waited for her to exit her car before engaging in a conversation with her. According to her statement, she said that I “started yelling at her”. Her statement in court was that I “opened her car door and began yelling and cursing at her”, which was untrue. [redacted] hen stated that I began using profanity toward her which I did not. Once I realized that she was not interested in what I had to say I turned and began walking back towards my car, which she admitted and was when her friend began walking toward my direction and toward [redacted] who was already close to the entrance of the [redacted] Store. [redacted] was driving a light blue [redacted] bearing Arizona license plate [redacted]

As I made an effort to return to my car and [redacted] was approaching me, he began saying very inappropriate things to me. I quickly got into my car at which time [redacted] made attempts to stop me and began taking pictures of my car. I drove to another part of the store and then decided to go to another store so as not to run into [redacted] or [redacted] in the [redacted] Store.

I was called shortly thereafter by [redacted] and requested that I remain at the store I was currently in until he arrived, which I did. He asked me what happened at the [redacted] Store parking lot which I told him and he said the story was the same except I left out the fact that I keyed [redacted] car. I explained that “I am too

old to key anyone's car and it simply did not happen. I was asked to write a brief statement of the incident which I did. When I asked him what happens now, Deputy advised me that he "would do a further investigation but, it would probably be nothing further on my part" and he would call me. Deputy did not call me. Instead, I received the Justice Court complaint to appear in court on regarding the complaint filed against me for Criminal Damage and Disorderly Conduct. I appeared in court and returned again for a pre-trial meeting with Deputy County Attorney.

After my pre-trial meeting with Deputy County Attorney, I attempted to express my feelings of horror felt during this meeting with Judge which he was not in a position to assist me, only explain the legal situation. I then inquired of the clerk at the Judge's side bar as to where I could put a complaint in regarding my meeting with I did immediately travel to sat for an hour to meet with Justice Court Bureau Chief, to advise her of the situation. She advised me that she truly believed me, extended an apology on behalf of her department and stated that she certainly did not tolerate the type of the behavior I'd just reported to her concerning and his attitude towards me during my pre-trial meeting. She went on to say that she would speak with and get back to me. After reviewing the paper work given to me by she stated that he did several things incorrectly. At the end of our meeting, said she would assist me with my plight, only to receive an email from her which made me feel as though my issue was one of simple insignificance. At this point, unable to afford an attorney and consistently requesting to have an attorney assigned to my case, I was again denied.

On my trial was held before Judge Present at the trial was, Witness; Victim; County Sheriff's Office; and Defendant. During the trial Deputy and sat working together and were leading the victim's statements several times. When I objected, Judge over-ruled me. When I attempted to cross-examine she admitted that she did not see me key her car. During further questioning, Ms. was what I would interpret as dramatic, bringing both hands to the sides of her head and saying, "Why do I have to answer all of these questions" in an attempt to have the judge remind me of how to present

**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.**