

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-150

Judge:

Complainant:

ORDER

November 17, 2021

The Complainant alleged that a justice of the peace violated the law and displayed improper 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 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 Denise K. Aguilar 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 17, 2021.

TO:

Comp
2021-150

FROM:

I am writing this letter to request Judge _____ recuse himself from my case, Case No. _____

This is at the advice of Council after speaking with the Arizona _____ The defendant filed a motion to reconsider on _____ after the Hearing as he did not show up for the Hearing _____ If judge _____ presides over this subsequent Hearing like he did over the first, I will not get a fair hearing. The reasons are twofold:

1. Within _____ of my hearing on _____, Judge _____ accused of me of being rude to his staff without firsthand knowledge of what transpired. He neither had the professional courtesy to ask what transpired or the awareness to know to ask instead of accusing me and coming into the hearing with preconceived opinions. This accusation came in the middle of me trying to present my case in which he shut me down and bullied me into silence. After _____ of sitting on the bench myself has a _____ I know what a hearing is supposed to look like, and it does not look like this. I am here for justice, not to tiptoe around a judge who has already made up his mind. A business ruined my car to the tune of \$ _____. In my world when someone ruins your stuff, they pay for it. Judge _____ came into the hearing with his mind already made up and sidelined my entire hearing. He even had the audacity to reference a _____ (an unvetted source anyone can write) in support of the defendant. This lack in judgement cannot be allowed. Furthermore, he also likened my sunroof seal to my head gasket seal in my engine and my cars' alignment. Your car can go out of alignment after one pothole, and my husband is a _____ ..and there's no real leak.. _____ just has to put it on there because when you touch it you can feel oil. That's part of the _____ inspection process. For a car that's _____ old, my car is in pristine condition. These excuses for giving me a fraction of what I'm asking for including depreciation is not only unjust, there's no support to justify his logic.
2. Second reason the Judge should recuse himself, upon his extremely unfair judgement, he ended the Hearing by stating, the defendant has the right to motion for reconsideration and reopen the hearing. If this happens, you may get nothing. Flat out threatening me.

In defense of my first point. _____ damaged my car to the tune of \$ _____. They won't pay for it, so this is the only way I can get justice and get them to pay. I live in _____ my parents live in _____. I was out for a visit, and this happened during that time. Consequently, I have to go online to see how to proceed with this arduous process of filing a lawsuit against someone. When I saw online where to file, everything pointed to _____ ..so I filed there. Got a dismissal, then found out I had to file at _____. After filing at _____ it took _____ to get a court date due to the incompetence of _____

the Court staff. The website isn't very helpful nor current, thus I had to call and get info. Depending on who in the office you talk to, the answer is always different. Two examples: 1) one person said filing fee was \$ then I got my entire filing returned and someone else said it was \$. 2) A second time I had it returned, I listed both on the filing to ensure my basis were covered. Both have the same address. Packet was returned again and said I needed to pay for both mailings, to which I replied and pointed out – they were the same address and insisted they get it filed...which they did finally. This timeline doesn't include them not sending me a complete packet the first time and that I had to wait for a complete packet.

Fast-forward to when I got a notice of Hearing which gave me a date and time, not a call-in number as I requested. I requested a telephonic hearing from as I live in my paperwork supports this. When I got this notice of Hearing, I called the justice center and the lady that answered the phone said, "Oh yeah, that's no big deal. Just call the morning of the hearing and we'll patch you through". I am used to a very large courthouse with lines and each being a dedicated line during the allotted times, but I know this is a small town and might be different, so I said ok. Fast-forward to the morning of the hearing: I called in early to make sure that what they lady told me was correct. When apparently another member of staff answered, she said ' to which I replied: "

'. She never did, so I called back at . She said no word from the judge. I called back at . she said he'd call me at . He called me at and the hearing commenced. he told me I was rude to his staff and shut me down, bullying me into silence. I am here to fight for justice from a business that ruined my property – but instead I'm also fighting the court. This isn't how any of this should be.

Based on the above, I request my case be reassigned to a judge in a different county that has the ability to conduct a fair hearing. The owner's address and are in so we should be able to move it there.

Sincerely –

Cc:

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

COURT

County of _____, State of Arizona

HON.

COURT SUPERVISOR

RE: COURT DOCKET #

Dear

The Court has received your _____, we are returning it to you for the following reason(s) indicated as checked below:

- _____ Must list an "individual person" as the Plaintiff and Defendant. You may also include the name of a business, if desired.
- _____ Complete "Plaintiff's Claim" section with date and signature.
- _____ Submit payment of \$_____ with Complaint Form.
- _____ Submit payment of \$_____ with original Answer Form.
- _____ The amount you have filed exceeds the limit of \$_____.
- _____ Completed section(s) are illegible, please resubmit a new form (enclosed).

① Actually - the defendant has two same name, same address. I'm just covering all basis so they can't wiggle out of this. Send one summons to the address

you checked NONE

xOther: ① You have different names on the Small Claims Complaint/Summons and with addresses. The fee for the Court is \$ _____ per defendant to mail by certified mail. If you enclose your phone number any other questions or problems the Court can all you. The court is returning your _____ or \$ _____ The fee will be \$ _____ for filing fees and certified mail to each defendant. You original Small Claim Summons/Complaint, letter, seladdressed envelope, exhibits, case with _____ Court and receipt are also enclosed. ②

Sincerely,

Court

② Your clerk, believe, told me I ..but if you need \$ here's the extra \$ NOT enough to send this back!! P.S. These two reasons were not worth sending this back again and wasting even more time on this. Please get it filed!