

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-366

Judge:

Complainant:

ORDER

April 13, 2022

The Complainant alleged a justice of the peace was partial to the opposing party and improperly denied her motion to set aside judgment.

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 Louis Frank Dominguez and J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on April 13, 2022.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2021-366

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.

Facts of case were proven

partial to Plaintiff as shown in his Motion

ATTORNEY NEVER RESPONDED TO COURT

County

Courts, Arizona

CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

PRO PER

Attorney for Plaintiff (s) Name / Address / Email / Phone

Attorney for Defendant(s) Name / Address / Email / Phone

RULING ON MOTION

On this date _____ the Plaintiff Defendant filed a motion requesting the following relief:

SET ASIDE/VACATE JUDGMENT

The Plaintiff Defendant Did not file a responsive pleading
 Filed a response to the motion on this day _____

The Plaintiff Defendant Did not file a reply
 Filed a reply to the response on this day _____

The Court, has considered that which has been submitted by the parties

IT IS ORDERED Granting said motion Denying said motion

IT IS FURTHER ORDERED

Per ARS 12-1612, this motion is denied.

Date: _____

Justice of the Peace

I CERTIFY that I delivered / mailed a copy of this document to:

Plaintiff at the above address Plaintiff's attorney Defendant at the above Address Defendant's attorney

Date: _____ By _____
Clerk

IN THE COURT
STATE OF ARIZONA, COUNTY OF

vs. Plaintiff,) CASE #:
)
) CERTIFICATE OF SERVICE BY
) A PRIVATE PROCESS SERVER
)
)
)
)
Defendant.)
_____)

_____, being fully qualified under ARCP 4(e) to serve process within the State of Arizona and having been so appointed by _____ County _____ Court, did receive the following documents:

MOTION TO SET ASIDE/ VACATE JUDGMENT

In each instance I personally served a true copy of each document listed above on those named below in the manner, and at the time and place shown below.

Service was made upon _____ attorney _____, by serving _____, who was authorized to accept, at _____ on _____

DATED: _____

I declare under penalty of perjury that the foregoing is true and correct and was executed on this date.

Fee:

County

Courts, Arizona



CASE NUMBER:

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

Attorney for Plaintiff(s) Name / Address / Email / Phone

Attorney for Defendant(s) Name / Address / Email / Phone

MOTION to SET ASIDE / VACATE JUDGMENT

ORAL ARGUMENT REQUESTED BY AGREEMENT POSSESSION OF PROPERTY AFFECTED

You have the right to file a written response to this Motion within ten (10) judicial days from the date this Motion is served. Your response must be filed with the court. A copy of your response must be served on the other parties as provided by Rule 120, of the Justice Courts Rules of Civil Procedure. The court may treat your failure to respond to a Motion as your consent that the Motion be granted.

I am the Plaintiff Defendant in this case.

I would like the court to:
Set aside the Judgment of

Statement of Facts:

Plaintiff and his Attorney did not possess my social security number but yet this Judgment has been filed on my background checks and credit reports which has affected my employment when potential employers are seeking Defendant for employment, has affected my rental history in which I have never been denied renting in my life; Judgment has affected my credit score for potential financing.

Legal Support:

Judgment has not been renewed per ARS12-1551, 12-1611, 12-1612
Judgment expired

On penalty of perjury I state that the foregoing is true and correct.

Date : _____
 Plaintiff Defendant

Date : _____
 Plaintiff Defendant

Judgment signed: _____ I CERTIFY that a copy of this document has been or will be mailed on _____ to:
 Plaintiff at the above address Plaintiff's attorney Defendant at the above address Defendant's attorney
Date: _____ By _____ Signature Plaintiff Defendant

NOTICE TO MOVING PARTY: If the time to appeal the Judgment has expired, service by process server or service by any other methods of service provided for service of Summons in JCRCP Rule 113 is required. Proof of service must be filed with the court, without proof of service or a response from the opposing party, the Court may deny your Motion.

NOTICE TO RESPONDENT: You have ten (10) judicial days after service of this Motion to file a written response, if you wish to do so. If no response is given, the Court will consider the relief requested and will enter an order without hearing any objection(s) you may have.