

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-383

Judge:

Complainant:

ORDER

July 21, 2022

The Complainant alleged he was not given due process during a civil hearing before a justice of the peace.

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 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 J. Tyrrell Taber did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on July 21, 2022.

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

FOR OFFICE USE ONLY

2021-383

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.

COMPLAINT AGAINST A JUDGE, EXHIBITS ATTACHED;

Exhibit A; *Scheduled hearing on* _____ *for a PRETRIAL CONFERENCE!*

Exhibit B; _____ *JUDGEMENT AND PENALTY ISSUED!*

*** *Please take note the Judge* _____ *sympathizing with* _____ *officer* _____ *who*
is Imposing at this court hearings as Prosecutor!?

Exhibit C; *listed the relevant* _____ *Rules and ARIZONA CODE OF JUDICIAL CONDUCT RULES that*
was ignored and or Denied!

Please ask if you need more details!

EXHIBIT A

| | | |
|------------------|---|-----------------------|
| STATE OF ARIZONA |) | |
| Plaintiff, |) | DOCKET NUMBER |
| vs. |) | ENTRY OF PLEA / |
| Defendant |) | JUDGMENT AND SENTENCE |

Comes now the Defendant and states his/her true name as reflected herein and understands the charges against him/her – namely
 A.R.S. 10-1-3-LITTER, DILAPIDATED STRUCTURE
 A.R.S.
 A.R.S.
 A.R.S.

The Defendant pleads **NOT GUILTY / NOT** Responsible to: _____

_____ The Defendant pleads **GUILTY / Responsible** to: _____

The Plea is made knowingly, intelligently, and voluntarily. There is a basis in fact for believing the defendant guilty of the offenses charged.

IT IS ORDERED:

That the Defendant is placed on _____ Months of Unsupervised **Probation** and **ORDERED** to complete the Sentence as imposed, at all times be a law-abiding citizen, notify the court in writing of any address change, plus the following terms.

- Restitution _____ \$ _____
- Other Fees _____ \$ _____
- Fines / Fees and Surcharges \$ _____
- Time payment fee \$ _____
- Failure to Appear (ARS 13-3904) / (ARS 13-2506); Failure to Obey Court Order (ARS 13-2810A) fine: \$ _____
- Total amount payable to the Court \$ _____

Payments of \$ _____ DUE weekly bi-weekly monthly beginning: _____

See Failure to Pay Fine warning on back

Fines on the following may be reduced after filing proper documents with the Court by _____

A.R.S. _____ Fine of \$ _____ Reduced to \$ _____

- Suspend driver's license and vehicle registration for insurance violation pursuant to ARS 28-4136 for 3 months
- The Defendant shall serve _____ days in the Pinal County Jail (See Order of Commitment)
- The Defendant is placed on _____ months of unsupervised probation.
- The Defendant shall complete _____ Hours of Community Restitution within _____ Days / Months
- Community Restitution in lieu of fines due in cases _____
- Defendant shall receive \$ _____ credit toward fines owed in cases _____ after serving _____ days in jail and/or completing _____ hours of community restitution.
- The Defendant shall participate in and complete a counseling program as directed by the Court (see separate order).
- Quash Warrant Lift Suspension Charges dismissed _____ with/without prejudice
- Bond: Exonerate Forfeit \$ _____ Refund \$ _____ Assign bond

DEFENDANT MUST APPEAR ON:

- FOR: Order to Show Cause/Status review Sentencing Change of Plea
 Trial / Hearing Pretrial Conference

Date _____ Judge, _____

I promise to appear as indicated above and accept responsibility for the items marked above and the information and WARNINGS on the back.

DEFENDANT SERVED COPY AT WINDOW
 DUE TO COVID-19

_____/_____/_____

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| | | |
|---|--|--|
| PLAINTIFF CITY PROSECUTOR, OFFICER BRITTON ATTORNEY FOR PLAINTIFF | CASE NO: JUDGE: _____ | DEFENDANT ATTORNEY FOR DEFENDANT |
|---|--|--|

This matter was heard by the Court on _____

Appearing as indicated was _____, Defendant. ✓

Appearing as indicated was _____, Plaintiff ✓

Claim Amount: \$ _____ Cross Claim Amount: \$ _____

Requested Attorney Fees: \$ _____ Rewarded Attorney Fees: \$ _____

Disposition: _____ Disposition Date: _____

Writ Days: _____ Writ Date: _____

Requested Award Amount: \$ _____ Awarded Amount: \$ _____

Requested Interest: % _____ Awarded Interest: % _____

Upper Court Costs: \$ _____

Lower Court Costs: \$ _____

Total Court Costs: \$ _____

IT IS SO ORDERED this date: _____

Judge _____

If you are required to pay fines, penalties, fees or other financial obligations as a result of a judgment of this court and you are unable to pay, bring this information to the attention of court staff or the judge because payments over time or other alternatives may be available. Do not ignore your responsibility to pay, as this may result in additional penalties and costs to you. For more information, contact the court.

CASE NUMBER;

NAME: ...

JUDGE'S NAME:

ATTACHMENT COMPLAINT AGAINST A JUDGE

1) According to the Court Documentation, I, Mr. was scheduled or for a PRETRIAL CONFERENCE! I am a law abiding citizen and my expectation, this is a Law abiding Court, in a law respecting country. This Court taken advantage of me as I cannot speak a proper English and this court did not provide me a translator! Amidst as I was fully cooperative and "pleaded not guilty", unexpectedly, shockingly and unjustly I was penalized, with Civil Judgment and "beaten" with Heavy Fines.

2) What really happened at the "PRETRIAL CONFERENCE" is way out of alignment with the Arizona Revised Statutes (ARS) Justice Court Rules for Civil Procedure (JCRCP) that the and all Court supposedly follow; 17B A.R.S.

a) RULE 113, SERVICE OF SUMMONS AND COMPLAINT JCRCP: was SKIPPED!

b) RULE 128, MOTION JCRCP: all aspects thereof was DENIED or SKIPPED!

c) RULE 121, DISCLOSURE JCRCP: all aspects thereof was DENIED or SKIPPED!

d) RULE 131, PRETRIAL CONFERENCE JCRCP: all aspects thereof was DENIED!

e) PROCEDURAL DUE PROCESS was DENIED by the Copper Corridor Justice Court!

3) Therefore the above reasons, this Court may not be Compliant with ARIZONA REVISED STAUTES listed above and the ARIZONA CODE OF JUDICIAL CONDUCT listed below;

a) CANON 1; Rule1.1, Rule1.2

b) CANON 2; Rule2.1, Rule2.2, Rule2.3, Rule2.6

4) The hearings was audio recorded at PRETRIAL CONFERENCE" and you may obtain the recording from the Court!

COMPLAINT AGAINST A JUDGE, EXHIBITS ATACHED;

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Exhibit B; JUDJEMENT AND PENALTY ISSUED!

*** Please take note the Judge sympathizing with officer who is Imposing at this court hearings as Prosecutor!?

Exhibit C; listed the relevant JCRCP Rules and ARIZONA CODE OF JUDICIAL CONDUCT RULES that was ignored and or Denied!

Please ask if you need more details!