State of Arizona

COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 21-395

Judge:

Complainants:

ORDER

April 21, 2022

The Complainants alleged a superior court judge failed to recognize fraud perpetrated by a defendant in a civil lawsuit. They also alleged the judge failed to inform them of the entry of a final judgment dismissing their case such that they could properly pursue 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, Louis Frank Dominguez, and Joseph C. Kreamer did not participate in the consideration of this matter.

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

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

FOR OFFICE USE ONLY

2021-395

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. Judge never recognized the fraud in this case instead was very unethical and impartial in her ruling toward the Defendants, costs and answered only Motions filed by Attorney Judge left out the "appeal" terms while she signed a Judgment. Plaintiffs were never made aware of the Judgment then filed, certified by Judge in favor again toward Attorney and his client for the benefit of the Defendants.

Again never recognizing the fraud involved.

needs to be sanctioned in favor of Plaintiffs in this case.

Judge reacted impartial, dishonest and made a false Judgement against the Plaintiffs.

one of the Defendants prepared and recorded fraudulent documents against the Plaintiffs; Judge never once recognized the fraud. **CONFIDENTIAL** Arizona Commission on Judicial Conduct 1501 W. Washington Street, Suite 229 Phoenix, Arizona 85007

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2021-395

COMPLAINT AGAINST A JUDGE

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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.

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JUDGMENT CREDITOR INFORMATION STATEMENT PURSUANT TO A.R.S. § 33-967

Pursuant to A.R.S. § 33-967, the Judgment Creditors (a/k/a the Defendant(s) on the Judgment to which this information statement is attached) hereby provide the following information: RE: COUNTY SUPERIOR COURT)

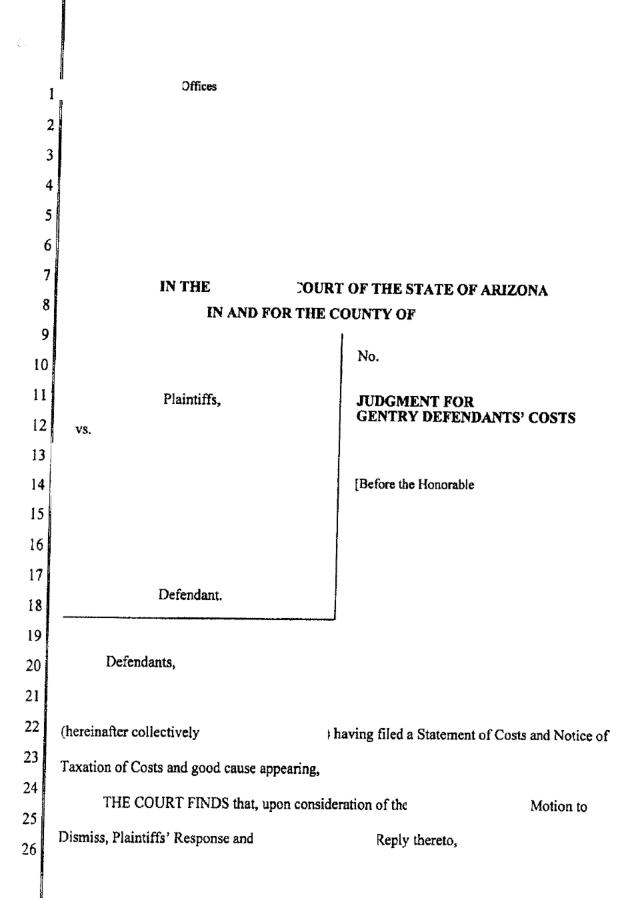
JUDGMENT FOR GENTRY DEFENDANTS' COSTS

1. The name and last known address of each Judgment Debtor:

- 2. The address at which each Judgment Debtor received Gentry Defendants' Statement of Costs and Notice of Taxation of Costs by personal service or mail: By Mail To:
- 3. The name and address of the Judgment Creditor:

- 4. The current amount of the Judgment: plus post-judgment interest accruing at the rate of 4.25% per month until paid in full.
- 5. No more than five numbers identifiable as part of the Social Security number for each Judgment Debtor: Unknown
- 6. The date of birth for each Judgment Debtor: Unknown
- 7. The driver's license number for each Judgment Debtor: Unknown
- 8. Has a court precluded enforcement of the Judgment? Yes _____ No _X_. If yes, has the court identified a date when the stay expires? Yes _____ No ____. If yes, the stay expires on ______, 20____.

NOTE: Pursuant to A.R.S. § 33-967(B), the foregoing information is only provided "if the information is known to the judgment creditor or available to the judgment creditor from its records, its attorney's records or the court records in the action in which the judgment was entered." Said subsection further provides that "[i]f any of the required information is not known, the judgment creditor shall so state." Said subsection further prohibits the judgment creditor from providing Social Security numbers unless the same have "been provided voluntarily to the judgment creditor by the judgment debtor."



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| | | 1. | A dismissal Order as to the | was granted/entered by this |
| 2 | Court or | | | eeee |
| 3 | | 2. | An award of attorneys' fees w | vas denied: and |
| 4 | | 3. | As a prevailing party, the | were entitled to recover their |
| 5 | taxable costs. | | | were entitled to recover their |
| 6 | IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the | | | |
| 7 | | | | GED AND DECKEED that the |
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| 10 | awarded and ha | ve ind | ament against Distantion Court | are hereby |
| 11 | awarded and have judgment against Plaintiffs for their taxable costs in the sum of plus | | | |
| 12 | post judgment interest accruing at the legal rate of per annum beginning as of the date of the signing of this to be a significant of the sis sign | | | |
| 13 | the signing of this Judgment and accruing until such time as paid in full. | | | |
| 14 | FINALLY, IT IS ORDER to the state of the second sec | | | |
| 15 | herein, and the Court therefore finds that there is no just reason for delay | | | |
| 16 | and expressly directs that this Judgment be entered at this time as a final Judgment as to the | | | |
| 17 | pursuant to Rule 54(b), Ariz.R. Civ.P. | | | |
| 18 | DONE IN OPEN COURT this | | | |
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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.