

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-044

Judge:

Complainant:

ORDER

December 7, 2022

The Complainant alleged improper procedure by a superior judge hearing a motion for change of judge.

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 Joseph C. Kreamer did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on December 7, 2022.

CONFIDENTIAL

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

FOR OFFICE USE ONLY**2022-044****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.

Tudor abused her discretion when she issued her Ruling (filed _____), in which _____ denied Defendant's Motion for Change of Judge for Cause*, without conducting a hearing. _____ erroneously ruled that Defendant did not state a colorable claim, when in fact he did. Defendant met the threshold to trigger a hearing for the Change of Judge motion, but _____ would not conduct a hearing, despite Rule 10.1 mandating one be conducted. _____ cited case law that does not support her ruling, nor does it directly relate to Defendant motion. Defendant, in his Change of Judge motion, clearly alleges interest, bias, and prejudice on the part of Hon. _____ in that _____ has continuously ruled against Defendant in all meaningful motions, and his rulings make him complicit in the denial and violation of his constitutional rights. (See Motion for Change of Judge for Cause, which I incorporate into this Complaint.) Judge _____ clearly abused her discretion. A hearing on the Motion for Change of Judge (_____), must be conducted.

*(see Attachment)

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Name: _____ **Judge's Name:** _____

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ATTACHMENT

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