

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-064

Judge:

Complainant:

ORDER

January 11, 2023

The Complainant alleged a superior court commissioner improperly denied a motion and refused to consider relevant evidence.

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 member Michael J. Brown did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on January 11, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-064

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.

On _____ at _____ I presented myself to the _____ COUNTY _____ CENTER to attend the pretrial conference that was scheduled for the date and time mentioned above for Case NO. _____ and _____ . Irrefutable evidence to substantiate such facts are the _____ COUNTY _____ CENTER security recorded video footage and/or _____ COUNTY _____ CENTER security officer _____ ; I waited outside Honorable Judge _____ court room but was never called to enter it, nor did I out of respect wish to enter without first being asked to enter, thus Honorable Judge _____ made the erroneous mistake of entering a "lost by default" against me, because he was under the misconstrued belief that I supposedly "failed to appear", ultimately resulting in the DEPRIVATION of my Constitutional Right(s) ; to the Equal Protection Of Laws under the 14th Amendment and/or to a public trial under the 6th Amendment scheduled for _____ at _____ .

I've already respectfully addressed this matter to Honorable Judge _____ via written letter dated _____ , unfortunately it came to no avail in him rectifying his mistake. I'm now asking that your agency becomes involved in investigating this matter to ensure the prevention in the violation of my Constitutional Rights. Your time and concerns in the current matter are highly appreciated, I humbly look forwards to your response.

To Whom it may concern,

On at . I presented myself to the COUNTY CENTER to attend the pretrial conference that was scheduled for the date and time mentioned above for Case NO. and irrefutable evidence to substantiate such facts are the COUNTY CENTER security recorded video footage and/or COUNTY CENTER security officer ; I waited outside Honorable Judge court room but was never called to enter it, nor did I out of respect wish to enter without first being asked to enter, thus Honorable Judge made the erroneous mistake of entering a "lost by default" against me, because he was under the misconstrued belief that I supposedly "failed to appear", ultimately resulting in the DEPRAVATION of my Constitutional Right(s) ; to the Equal Protection Of Laws under the 14th Amendment and/or to a public trial under the 6th Amendment scheduled for at .

I've already respectfully addressed this matter to Honorable Judge via written letter dated , unfortunately it came to no avail in him rectifying his mistake. I'm now asking that your agency becomes involved in investigating this matter to ensure the prevention in the violation of my Constitutional Rights. Your time and concerns in the current matter are highly appreciated, I humbly look forwards to your response.

To: Honorable Judge

Re.

Case No.

My request is that you may please reconsider the "lost by default" you entered against me in legal matter No. _____ and _____ on _____. Please be aware that I did not fail to appear nor was I late for the pretrial hearing SCHEDULED for _____ on _____ before you at the _____ COUNTY _____ CENTER. May you please exercise your authority to review the _____ COUNTY _____ CENTER security video footage for the date and time mentioned above to confirm that I'm being fully truthful as to what I state in this letter. Please understand that I had a medical emergency and/or was experiencing medical issues on the date of the court appearance, regardless of this fact I still made it a priority to attend the court hearing on _____ at _____. I waited patiently outside your court room, but I was never asked to enter it. May you please be fair and objective and grant me a new court hearing as I am an American with Constitutional Rights. Your time and concerns in this matter are highly appreciated, I'm humbly looking forward to a constitutional resolution.

Mailing Address:

Cell Phone Number

Sincerely :

—

Date X_

Patient:
Date of Service:
Date of Birth:
Patient ID:

Summary

Patient:
Date of Birth:
Log#

You were seen at _____ on _____.

Your Diagnosis for today's visit is:

- 1.

Recommendations/Plan:

-
-
-

Thank you for allowing us to serve you today.

Please call this clinic at _____ if your condition changes or you have any concerns.

Visit discharged at _____ by _____