

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-110

Judge:

Complainant:

ORDER

February 8, 2023

The Complainant alleged a justice of the peace improperly re-sentenced her following a lower court 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 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 Roger D. Barton, Barbara Brown, and Delia R. Neal did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 8, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2022-110

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.

I was tried for and convicted of a misdemeanor in Judge _____ court on _____, at which time I paid my fine/penalty of _____. Over _____ months later, on _____, I received the attached Hearing Notice demanding that I appear in court for RE-SENTENCING threatening me if I did not appear.

I did not request a RE-SENTENCING HEARING, and want to know under what authority the judge has to demand my return to his court.

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STATE OF ARIZONA Plaintiff	Case Number: _____	Hearing Notice RE-SENTENCING HEARING
Vs	Complaint Number: _____	
Defendant		

This matter has been scheduled for a RE-SENTENCING HEARING on _____ at _____ in COURT ROOM _____ at the above address.

YOU MUST APPEAR for this court date. If you fail to appear, any bond that has been posted will be subject to forfeiture, and a warrant being issued for your arrest and / or driver license being suspended.

You have the right to be present at all your court proceedings in your case. If this matter is eventually set to trial and you do not appear at your trial this non-appearance will be considered a waiver of your right to be present at your trial. The trial may be held without you, possibly resulting in a conviction, which will be enforced if necessary, by your arrest.

Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least _____ working days in advance of the scheduled court proceeding.

Contact the court if you need special accommodations, such as assistive devices or interpreters.

IT IS YOUR RESPONSIBILITY TO BE AWARE OF ALL FUTURE COURT DATES SHOULD ANY SCHEDULED MATTER BE CONTINUED, YOU MUST CONTACT THE COURT OR YOUR ATTORNEY TO GET THE NEW DATE.

You are required to notify the Court of any change of address in order to continue receiving court notices.

Date: _____

Judge Name: _____