

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-425

Judge:

Complainant:

ORDER

September 8, 2023

The complainant alleged a justice of the peace failed to follow the law and showed poor demeanor when hearing an eviction case.

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

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

From:
Sent:
To: Commission on Judicial Conduct
Subject: Complaint

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing this letter to file a formal complaint concerning the case of conflict of interest that has happened on multiple different occasions. My last three court proceedings Judge failed to be patient, dignified and courteous. He showed improper court room behavior not only during trial but also two court hearings prior. I was not treated fairly the inappropriate actions is a Civil Violation and Judicial Misconduct. He is abusing his contempt of court power. He is not clear on what I'm supposed to do, when asking him to explain he gets upset and raises his voice at me. He interrupts me when I am speaking and doesn't give me a chance to explain anything at all. He used improper speech and is very disrespectful.

I attached my answer and documents to the court within hrs of my previous court date. I also put in a motion to dismiss. The Judge did not review my answer or the files I attached. He did not review anything. He said it wasn't there. I put in a motion for a different Judge and was denied. Judge said he had no paperwork that I filed with the court but I double checked before and after court and the girls that worked at the court showed me how to do it and said they were all filed correctly and there was no reason that they wouldn't have been there. He shouldn't have had a problem viewing the information.

Judge failed to prevent the eviction, due to the adverse financial impact of Covid-19 were implemented for protecting mobile home tenants through Civil Code 798.56 and Civil Code 2924.15 was amended to help home owners. The attached was also a statement from Governors Stay At Home Order due to the Covid-19. It is now in effect due to the virus a court shall not proceed with eviction under the Covid-19 Rental Housing Recovery Act, code of Civil Procedure section 1179.01.5 and 1179.03.5.

I am being evicted for late payment of my lot space rent. I have never had a late lot payment prior to Covid-19. My office managers at Home Park statements were off as well. She requested the incorrect amount, I was charged more than what it should have been. The Mobile Home Park address is . I tried to explain to the Judge that the statements were not correct and he didn't want to hear it, he was very rude. I would not doubt if my office manager and the Judge know each other aside from court. It is so important that you view the recordings of the court proceedings. During court Judge had to redo the recording he said and began to start over speaking he was not

acting appropriately that is why he had to start over. This case on unpaid lot rent while the rental assistance was being processed was treated really unprofessionally. It needs to be brought to someones attention. These reasons result in substantial injustice to the defendant. I am asking for your help in resolving this. I am about to lose my home that I paid for. I am really upset about it and I really need this matter to be investigated as soon as possible so I don't lose my mobile home.

Thank you for your time and for working with me to create a positive outcome for this issue. I would appreciate the opportunity to discuss the situation further and avoid a similar situation in the future. He needs to be fired. This is my second time having this Judge, he was even worse the first time. My first proceeding with him was over the phone due to Covid-19. I am almost positive that it is illegal to have the same Judge twice. I did mention this when requesting another Judge and I was still denied that right. He broke the Code of Judicial Ethic in many different ways. I have never felt so disrespected.

Complaint against:

Court

Sincerely,