

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-034

Judge:

Complainant:

ORDER

July 21, 2023

The complainant alleged improper legal rulings by a superior court judge hearing a civil 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 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).

Copies of this order were distributed to all appropriate persons on July 21, 2023.

COMP

COMMISSION ON JUDICIAL CONDUCT
1501 W. WASHINGTON STREET SUITE 229
PHOENIX, ARIZONA 85007

2023-034

Dear Sirs/Madame,

Honorable

(Note: The author has : speech impediment and writing, I had following a , therefore limited detailed response capable.)

Honorable didn't read complaint and Attorney Res Judicata, didn't read response. A.R.S. 12-3201 - NO enforceable orders!

Honorable "further litigation". I'd Impeach her. I'll have been Promissory Estoppel, not Res Judicata! Not SAME THING!

- 1). I have been denied in a civil action.
- 2). - Final Judgment not signed by judge.
- 3). Rule 58 - Statements from the bench are NOT court orders.

Rule 58 of the Rules of Civil Procedure was amended effective , to make the moment of entry of judgment more easily identifiable. According to Rule 58, "a judgment is entered when it is reduced to writing, signed by the judge, and filed with clerk of court". This means that since , statements made by the judge from the bench are NOT enforceable orders or judgments and a judge is not required to enter a written order or judgment that conforms to any statement made from the bench.

Ariz. R. Civ. P. 58

(2)Form of Notice. Notice of entry of judgment must be in the following form:

- (A) a written notice of the entry of judgment;
- (B) a minute entry; or
- (C) a conformed copy of the file-stamped judgment.
- (A-C) NO entry of judgment, NO minute entry, NO conformed copy.

4). Entry of Civil Judgments - A judgment or order cannot be ENFORCED until it is entered, so the court of appeals has held that a trial court has NO authority to hold a party in contempt for the violation of an order if the violation occurred before the order was reduced to writing, signed BY the Judge and filed with the clerk of court.

5). Requirements for Res Judicata - Signed by judge, NO signature. "whether the judgment on the previous lawsuit was FINAL".

6). Doctrine of in Promissory Estoppel - It is the Doctrine Collateral/Promissory Estoppel that is involved in this case because an action for money due is different from a possessory action, simply to recover property.

7). Possessory Action - "an action under Scots law to vindicate and recover possession of good heritable or moveable".

1. Honorable Minute Entry
 Defendant's Motion for Attorney's Fees.

- (1) " "
- (4) " "

8). "Without a SIGNED order it impossible for an attorney to advise a client exactly what his or her legal rights and obligations are".

Last week, 95% divorce lawyer and (little bit business lawyer). Attorney words, "

' . Ask to him, Promissory Estoppel. You have been 100% divorce lawyer. hour. Credit card . Crook!

9). See McComb v. Condard, 394 S.C. 416, 426, 715, S.E. 2d 662, 667 (Ct. App. 2011) (stating "[u]ntil written and entered, the trial judge retains discretion to change his mind and amend ... ruling. (NO rulings). Plaintiff the last time attorney's fee. My only wonder

was that she had not carried them out, the attorney fee's.

“Law Insider” - “Order - judgment or decree represents a FINAL adjudication of the rights of the parties by a court of competent jurisdiction, and that the time or an appeal from such order, judgment or decree has expired without an appeal having been made or an appeal, if made, has been rejected or denied”. Without an appeal or appeal. No final judgment.

10). Attorney (with pretend Res Judicata,) Hon. , Hon. Hon. ; and Hon. (or) Federal Rules of Civil Procedure?

11). NO order. Void. Attorney didn't the paperwork, the lawyer fee's. “Regardless of how a judgment is obtained, the judgment must be officially entered with the court, or docketed, before it is considered a Legal and Enforceable judgment”.

12). Many lawsuit cases: from time December,

1st Honorable - 2nd Honorable
1st Honorable - 2nd Honorable
1st Honorable - 2nd Honorable

stay with me retirement, impeachment, and kicked office!

13). Contract. Trial 3 . I could not, with an APPEAL process. Note: RES JUDICATA, “whether the judgment on the previous lawsuit was FINAL”. NO Final Judgment, without a SIGNED order!

11 , “

loan? Two month's () I had shaky with the contract! ”. Contract or

14). Note: Arizona Medical Marijuana, no cultivation
, trial. One year Contract thru or second
year, loan? No cultivation, , after that emails
thru “ ”. (Promissory Estoppel)

15). Trial (2) No Final Judgment (3) Time
Limit (No attorney's fee.) (4) thus,

legal help me, paralegal. (Hon.) Res Judicata.
NO Final judgment . No judgment, Attorney
scared. days and days plaintiffs' and days defendants'. Limited
Scope. Small Snowball Affect. NO judgment. NO order.

16). legal help me, another one. (Hon.) “Fraud,
Misrepresentation and Unjust enrichment”. Res Judicata. Her client,
, say's no judgment “ . The fact is,
deleted! Fact is Hon. “no judgments and
no ruling”. NO ORDER. Order “
”. Back and forth, pissed off
Hon. . Medium Snowball Affect. NO order. I'd Impeach her.

17). Hon. . “Business Property” heading.
Attorney Res Judicata. Order “I
”.

18). Res Judicata and no Res Judicata. “
”.
“
” filed (Note: Response Res Judicata). Next one. fact
is, Hon. “ ”. Large
Snowball Affect. NO order!

19). Hon.
“Promissory Estoppel” heading. Order Res Judicata, Promissory Estoppel,
get to my money back! “ ”.
Extra Large Snowball Affect. NO order! Catch 22. I Impeachment Hon.

20). Who cares Res Judicata or No Res Judicata. Doctrine of Estoppel NOT the same thing.

Doctrine of Estoppel safeguards people from fraud or misrepresentations.

Requirements for Res Judicata;

“There are certain elements that must be present in order for a litigant’s claim of Res Judicata to be considered valid. The party claiming Res Judicata must show to the court the following”:

Yes - The specific cause of action in the prior lawsuit.

Yes - The specific issue or fact that was addressed and decided in the prior lawsuit.

No - The identities of the parties to the prior lawsuit. (No wife)

No - Whether the judgment on the previous lawsuit was FINAL.

Yes - Whether all parties to the previous lawsuit were given full and fair opportunity to be heard on the issue.

Res Judicata is defined in Section 11 of the Code of Civil Procedure.

Estoppel is defined in Section 115 of the Indian Evidence Act.

“Again these Defendants misconstrue the Doctrine of Res Judicata. It is the Doctrine of Promissory Estoppel that is involved in this case an action for money due is different from a possessory action, simply to RECOVER property”.

“As a result, the doctrine of Res Judicata limit’s a plaintiff’s ability to recover damages from the defendant on the same injury more than once. In contrast, the Doctrine of Estoppel safeguards people from Fraud or Misrepresentation. This theory steers clear of those kinds of situations by holding the offender accountable for his wrongful actions. Hence, this article has tried to explain the essential points of differences”.

21). Lazy, the slothful, the indifferent or complacent - to me four people; the judges’.

**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.**