

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-039

Judge:

Complainant:

ORDER

September 1, 2023

The complainant alleged improper legal rulings by a justice of the peace 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).

Commission member Roger D. Barton did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 1, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-039

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 Judge of the County AZ*
Court case # ruled in my favor (Plaintiff) Motion to Voluntarily Dismiss without
Prejudice. On I refiled my case now # My case is against
(apartments) Defendant
breached my # lease several times. I am suing for the return of my security deposit since
violation of ARS 33-1321 plus the illegal fees I paid as a tenant not in my lease to Defendant
. My total claim is plus interest and costs for USPS certify mail fees to
Defendant for Defendant's breach of lease. The defendant took on a merilless *in bad faith case that has
no defense & only to delay & harass Plaintiff & this court with filing all shams in effort to scam the court
out of attorney fees that are not allowed. The first case Defendant used attorney (illegal) in small claims to
file sham answers, Motion to Dismiss & transfer out of small claims. Plaintiff filed responses and Motions
to Strikes information to the court. Defendant never filed disclosure & continued filing shams, not signing
pleadings and no verification of pleading with false information to this court, no Affidavits. I have a
pending complaint against Defendant attorney, for attorney
misconduct for wrongfully in bad faith defending Defendant, not following procedures, rules of the court &
constantly asking for attorney fees. Plaintiff filed DEFAULT in small claims.
Defendant sham answered late. The court clerks posting pleadings out of order, naming defendant as
pro-per when Defendant's attorney in the beginning never filed with the court a NOTICE OF
APPEARANCE as required. Judge's court clerks making decisions, not mailing me decisions very late &
blocking my timely Motion to Strike & Responses regarding all the shams filed by Defendant's attorney.
Plaintiff filed Answer to Defendant's answer (sham) & response to counterclaim, (court refused
to post correctly) I have a right to be heard. Plaintiff Motioned for a Protective Order against
Defendant including all shams filed to this court by Defendant for this case-(no answer from court).
(Plaintiff filed disclosure timely & continued to disclose to Defendant additional information.
Court removed Defendant's attorney & now (no notice of appearance).
Defendant files another sham, Notice of Appearance & Request For Attorney Fees (no
attorney fees for refiled case). Plaintiff filed Motion to Deny Defendant's Notice of
Appearance (after being removed by this court) misconduct again, & Request for attorney fees (not
allowed by statute). Judge ruled on a SHAM pleading from Defendant, not signed and no
verification of pleading required with false information, On Minute Entry scribbled signature of
who knows? On Plaintiff filed a Motion to Strike Defendant's SHAM pleading/Notice
of Appearance & Request for Attorney fees. Plaintiff gets days to respond & Judge cut me off. On
Judge did a transfer request blaming Plaintiff as a vexatious litigant (FALSE & ILLEGAL).
The judge is accountable to follow the law and his staff & minute entry is ILLEGAL & violates
ARS 12-320*ONLY IN SUPERIOR COURT declare . transfer is false & Judge's misconduct
violating canons listed below & failed to recuse himself. Transfer not supported by law, it is fraud ARS
44-1522, highly prejudicial, bias, unethical, I have a right to respond & be heard, ARS 12-320 ONLY done
in SUPERIOR COURT by law. Judge used JCC; Canon, Rule 2:11: Recusal (state reason): Plaintiff has
been designated a vexatious litigant ENTIRELY FALSE & ILLEGAL. Only in Superior Court this is allowed
ARS 12-320. Judicial misconduct & incompetence by Judge Presiding
Plaintiff filed a reconsideration to new court Court.

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Judge _____ is an attorney (has a license) and a _____ judge who violates the law, court procedures and process and violated ARS 12-320, does not do his job and allows court staff to make decisions that are illegal in favor of Defendant to my case to retaliate against Plaintiff.

Judge _____ violated AZ Code of Judicial Conduct amended as of 1/1/2021: Canon Rule 1.1 Promoting Confidence in the Judiciary (misconduct by Judge _____). Canon Rule 2.2 Impartiality and Fairness not given to Plaintiff Motions and responses. Rule 2.3 Bias, Prejudice & Harassment was violated by Judge _____ against Plaintiff. Judge is accountable and failed miserably by his dishonesty. Judge _____ making illegal decisions and knows Defendant took on a case to only harass and delay defendant's refund of Plaintiff's _____ security deposit and illegal fees Plaintiff paid to Defendant not in her lease. Judge _____ does prevail or supervise his court staff. Rule 2.5 Competence, Diligence & Cooperation never happened by Judge _____ (malfeasance and irresponsibility by Judge _____). Rule 2.6 Ensuring the right to be heard never happened by Judge _____ ruling on SHAMS that are not signed and no verification of pleading required. Rule 2.7 Responsibility to decide Judge _____ failed again. Rule 2.12 Supervisory duties(A) Judge shall require court staff, court officials & others subject to the judge's direction & control to act in a manner consistent with the judge's obligations under this code & Judge _____ lets his staff do whatever they want, commit fraud and not post pleadings accurately or post pleading at all, not follow legal procedures and the law and common sense DID NOT HAPPEN with Judge _____ Judge _____ court is a kangaroo court. Rule 2.15 Judge _____ did not read my pleadings regarding Defendant's misconduct and Plaintiff has an active _____ Complaint against Defendant's attorney.

Judge _____ is responsible for his own RECUSAL NOT PLAINTIFF.
Plaintiff has a right to be heard and treated fairly.
Defendant has no case and in DEFAULT.