

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-117

Judge:

Complainant:

ORDER

September 22, 2023

The complainant alleged a justice of the peace failed to issue a timely ruling.

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 Denise K. Aguilar, Barbara Brown, and Louis Frank Dominguez did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on September 22, 2023.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-117

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.

A motion to seal was filed and multiple follow ups were made with the court yet no granting of the motion. These motions must be granted no later than 60 days under the new expungment law. This judge is failing to complete work in a timely manner and the eviction must be expunged and the judge censured.

See attached motion.

/s/

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Defendant and Counter Claimant

IN THE

COURT

STATE OF ARIZONA

)	
)	Court
)	
Plaintiff)	
v.)	MOTION TO SEAL CASE PURSUANT
)	TO A.R.S. § 33-1379
)	
)	(Oral Argument Requested)
)	
Defendant.)	
)	
)	
)	
)	
)	

Comes now, _____, pro se, hereby motions this honorable court for relief under a recent Arizona law authorizing sealing of eviction cases.

FACTS

_____ was born in _____ and came to the United States to conduct a drug criminal enterprise. As a _____, _____ has access to the _____ banking system and is able to launder drug proceeds through banks outside the United States to buy properties in _____ County. As part of the _____ drug criminal enterprise, _____ provides property for drug dealers to conduct drug sales, production, and usage.

_____ is a disabled non drug user who was excluded from housing accommodations and allergic to smoke and fumes which emanated from the _____ drug criminal enterprise and _____ requested an ADA reasonable accommodation for a smoke and fumes free

environment. In retaliation the drug criminal enterprise unlawfully evicted in violation of his due process rights. Subsequently, agreed to stipulate to sealing eviction in exchange for agreeing not to file a civil Racketeering Influenced and Corrupt Organization Act (civil RICO) case against the criminal enterprise.

LEGAL ARGUMENT

The new eviction expungement law A.R.S. § 33-1379 provides, “In any action for eviction pursuant to section 33-1368 or 33-1377 or pursuant to a forcible entry and detainer action...the court shall also order the sealing of an eviction case on the filing of a...stipulation by the landlord and the tenant to set aside the order of eviction and seal the eviction case court file.”

Here, since stipulated in exchange for valuable consideration to seal the case, it must be sealed immediately.

also argues RPEA Rule 15 provides that a motion to vacate be heard if the legal grounds for an eviction are not correct.

RESPECTFULLY SUBMITTED this day of .

By /s/ _____

copies of the foregoing delivered this day to:

Court

**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.**