

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 23-143

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Judge:

Complainant:

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**ORDER**

September 22, 2023

The complainant alleged a justice of the peace showed bias by ruling against him.

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

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

2023 - 143

**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 evicted for unauthorized occupant. I brought to the court 1. Police incidents reports were I had to call the police numerous times to get my ex removed from my apartment. 2. Order of protection filed ( ) months prior to the 'Notice of eviction'. First intention to evict on and 2 notice of intention due to ex trying to reconcile order cable for me for my birthday. I contacted and and pleaded with her again to please leave me alone.. please.. came to mv apartment later that day and I called police and she was taking into custody for outstanding warrent in

Plaintiff witness (Office Manager, ) stated she has never seen the unauthorized occupant in my apartment but seen her twice on the property nor has she ever put a trasspassing order on

Plaintiff witness testified ( maintenance Man) he has never seen in my apartment but said he did see her or times walking on the property around the middle of last month ( ). He stated, I was taking her to work. I asked, how did he know I was taking her to work. judge stated it didn't make a difference where I was taking her, was she in my car. I then said to the judge that quit her job in and was in County Jail in since

judge asked what is my point. I said that the witness is not telling the truth. He said nothing not even reminding witness he was under oath did not strike what the witness stated. And when it became my turn to talk and address it, he would get mad .. point at me like I'm a child and state to me ' or " ". judge repeately made it seem as i've I was dumb and I felt threathen with Jail being held in contempt of court because my questions or answers not in singular form. I would apologized to the court and then I lost my thinking what to do or how. I knew it was my ptsd being triggered when I couldn't stop talking to myself as if getting prepared for an attack. I became so nervous i was shaking. I immediately stood to my feet and judge said "

plaintiff attorney was allowed to questioned my regarding my protection order and police incidents I obtained months ago against . Plaintiff attorney then made 2 or 3 statements in regard to " because she was staying there to the judge. Stating since I had the protection order why didn't I enforce it against or have her arrested for the times police were called to make her leave.

I looked at judge and stated how can she ask me that first off. I am not police or responsible or concerned where goes, as long as she did not come to my apartment and when she did I called the police. judge stated I was right and plaintiff attorney couldn't ask me that but then judge said I am still taking it in review.

Plaintiff Attorney gave me a copy of pictures with no time and date stamp as exhibts but kept giving the court exhibts that I did not get or know what it wasd. The judge asked did I object or not to the evidence being entered. I said I object, judge said why, and I said becuae I do not know what it is and was not given anything respect pictures taken on , no picture was near or in my apartment.

**CONFIDENTIAL**

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

**FOR OFFICE USE ONLY**

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PLEASE ... PLEASE.. PLEASE.. PLEASE REVIEW COURT RECORDING.

Judge also stated to clerk to stop the recordings while I was addressing issues with him and walked out the court room to his chambers.

judge showed bias for the plaintiff and what i feel is unethical toward me.

Went to file appeal and judge double cost. I was evicted and how homeless.

Judge would not give organization the amount for appeal.

Was told I had to file motion for amount of appeal.

Judge never completed motion until end of business on last day for appeal. (5 days)

CASE NO. \_\_\_\_\_

**JUDGMENT - EVICTION ACTION**

<b>PLAINTIFF</b>	<b>DEFENDANT(S)</b>
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THIS MATTER WAS HEARD by the Court on this date:

Plaintiff appeared by counsel. Defendant was properly served at least 2 days prior to this hearing and: appeared  in person \_\_\_\_\_ by counsel; \_\_\_\_\_ failed to appear.

Defendant entered a plea of \_\_\_\_\_ guilty /  not guilty of special/forcible detainer.

WARNING! 1. The plaintiff's representative is not a court employee. 2. By signing below, you are consenting to the terms of a judgment against you and the plaintiff will now be able to evict you. 3. You may have your wages garnished and the judgment may appear on your credit report. 4. You may lose your right to subsidized housing. 5. You may NOT stay at the property, even if the amount is paid in full, unless you get the agreement in writing or get a new written rental agreement.

\_\_\_\_\_ Defendant Stipulates to the entry of this Judgment. Defendant hereby waives any rights to reconsideration or appeal and acknowledges that they were informed of their right to remain here at court to appear before the judge and declined to remain.  
X

WARNING: After service of the Writ of Restitution, if you remain on, or return unlawfully to, the property, you will have committed criminal trespass in the third degree and could be prosecuted.

The Court adjudges and finds Defendants guilty of special detainer for a material non-compliance in violation of ARS 33-1368.

**JUDGMENT ORDER**

IT IS ORDERED granting judgment to the Plaintiff for:

1. Immediate possession of premises: \_\_\_\_\_ ; a Writ of Restitution to issue: After five calendar days from this date; Writ to issue on \_\_\_\_\_ ;
2. Interest at a legal rate (9.00 percent) until judgment is paid;
3. Court costs of ( \_\_\_\_\_ Filing Fee + \_\_\_\_\_ Process Server Fee) \_\_\_\_\_ ;
4. Attorneys' fees of \_\_\_\_\_ ;
5. For a total of \_\_\_\_\_ plus after accruing costs.

Copy to Defendant:

\_\_\_\_\_ Mailed  Hand Delivered

Copy to Plaintiff:

:email  :Fax  :Mail

\_\_\_\_\_  
JUSTICE OF THE PEACE

DATED: