

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-245

Judge:

Complainant:

ORDER

October 13, 2023

The Complainant alleged delayed 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 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 Barbara Brown and Colleen E. Concannon did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on October 13, 2023.

COMMISSION ON JUDICIAL CONDUCT
 ARIZONA SUPREME COURT
 1501 WEST WASHINGTON STREET, SUITE 229
 PHOENIX, ARIZONA 85007

RE: JUDICIAL MISCONDUCT COMPLAINT

TO WHOM THIS MAY CONCERN:

MY NAME IS:

I AM THE PROSE PLAINTIFF IN THE FOLLOWING CIVIL ACTION,

I AM WRITING THIS COMPLAINT BECAUSE I HAVE BEEN DENIED

A SUBSTANTIAL DUE PROCESS RIGHT BY JUDGE AND HIS STAFF (" "),

BY AND THROUGH MULTIPLE VIOLATIONS OF THE ARIZONA CODE OF JUDICIAL CONDUCT, ARIZONA CONSTITUTION, AND U.S. CONSTITUTION.

STATEMENT OF FACTS

ON I MAILED A NOTICE OF CHANGE OF JUDGE AS A MATTER OF RIGHT, PURSUANT TO ARIZ. R. CIV. P., RULE 42.1 ET SEQ., VIA UNITED STATES POSTAL SERVICE ("USPS") (CERTIFIED MAIL, TRACKING NUMBER:

ADDRESSED TO

AT

; WHICH WAS DELIVERED ON

TO THE

ZIP CODE AT

. ATTACHMENT A.

ON _____, I WROTE THE CLERK OF THE _____ COURT,
 ADVISING THEM OF THE ISSUE OF THE _____ NOTICE NOT BEING DOCKETED. I HAVE
 NOT RECEIVED A RESPONSE. ATTACHMENT B.

THE _____ MINUTE ENTRY DOCUMENTS THAT I FILED SEVERAL MOTIONS BEFORE
 AND AFTER THE _____ NOTICE, BUT _____ REFUSED TO RECOGNIZE THE NOTICE.

ON _____, I MAILED THE SECOND NOTICE OF CHANGE OF JUDGE AS A MATTER
 OF RIGHT VIA USPS CERTIFIED MAIL, TRACKING NUMBER _____.

_____, ADDRESSED TO _____ AT THE SAME LOCATION AS THE _____ NOTICE.
 THIS NOTICE WAS DELIVERED ON _____ TO THE _____ ZIP CODE AT
 ATTACHMENT C.

ON _____, I SENT A CORRESPONDENCE TO THE COURT ADMINISTRATOR OF THE
 COURT VIA USPS CERTIFIED MAIL, TRACKING NUMBER _____.

_____, ADDRESSED TO _____
 _____ DELIVERED ON _____ TO THE _____ ZIP CODE AT _____
 . I HAVE NOT RECEIVED A RESPONSE. ATTACHMENT D.

ON _____, OPPOSING COUNSEL, ASSISTANT ATTORNEY GENERAL
 AND MYSELF HAD A CONFERENCE CALL, TO WHICH HE ACKNOWLEDGED THAT HE
 RECEIVED BOTH _____ AND _____ NOTICES, AND THAT NEITHER WERE DOCKETED.

TO DATE, NEITHER NOTICES HAVE BEEN DOCKETED BY _____. I HAVE MADE SEVERAL ATTEMPTS
 TO EXERCISE MY RIGHT TO CHANGE THE PRESIDING JUDGE BEFORE MY NOTICE BECOMES
 UNTIMELY OR A WAIVER OCCURS.

CONCLUSION

I AM REQUESTING THAT JUDGE _____ BE REMOVED FROM
AND AN INVESTIGATION INTO THE VIOLATIONS OF MY RIGHTS AND ARIZONA CODE OF JUDICIAL
CONDUCT BE CONDUCTED.

RESPECTFULLY,

ATTACHMENT A

PLAINTIFF

ARIZONA
COUNTY

COURT No.

PLAINTIFF,

v

COURT No.

ADMINISTRATOR,

RESPONDENT,

CUSTODIAN OF RECORDS,

RESPONDENT,

NOTICE OF
CHANGE OF JUDGE

AND

STATE OF ARIZONA
REAL PARTY IN INTEREST.

HONORABLE

NOTICE IS HEREBY GIVEN THAT PLAINTIFF, _____, SEEKS
A CHANGE OF JUDGE AS A MATTER OF RIGHT WITHIN THE ABOVE-MENTIONED
ACTION, PURSUANT TO ARIZ. R. CIV. P., RULE 42.1 ET SEQ. JUDGE
IS THE PRESIDING JUDGE, TO WHICH PLAINTIFF SEEKS TO CHANGE.

**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.**