

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-332

Judge:

Complainant:

ORDER

February 12, 2024

The Complainant alleged improper legal rulings by a justice of the peace hearing an eviction 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 Regina L. Nassen did not participate in the consideration of this matter.

Copies of this order were distributed to all appropriate persons on February 12, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023 - 332

COMPLAINT AGAINST A JUDGE

Name:

[Empty box for Name]

Judge's Name:

Judge

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.

To whom it may concern,

I am writing this complaint due to my due process being violated under 42 USC 1983 Color of law

I had received a court date for an eviction and was never given a fair trial. From the very beginning and who represented the plaintiff

" gave me a horrible deposition that would keep me in the same situation intentionally. The funds they ask for kept fluctuating the entire time. It was a trap!! when I went to court

I represented myself under proper, every motion I filed was automatically dismissed

I filed a motion to transfer on the basis of the court being the wrong jurisdiction since

this is a civil rights case because of my rights being violated. I also filed a motion to dismiss due to me not receiving an answer to my

counterclaim which under Rule 11b should have been a default judgement. Judge

intentionally tampered with the documents and put on there that I was represented →

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Cont

By a counsel, which was a lie I was representing myself as pro per, According to Rule 2.3 a Judge shall disqualify himself in any proceedings in which a Judge's impartiality might be reasonably questioned. So my question is, what counsel did I have representing me if I was representing myself? Because of Judge [Name] Biased Judgment and Intentional misconduct it has made me suffer tremendously and I am in the mist of suing for ~~for~~ Intentional tort. I will attach a copy of my demand letter and other supporting documents.

Demand letter

To whom it may concern,

I am writing this demand letter on the basis of an incident that occurred which has made me an injured party under 42 USC 1983 under color of law .

On _____, I had received a court date for an eviction. I was never given a fair opportunity to fix the issue at hand, I was given a court date and an agreement bias in which would have put me in the same situation, it was a trap!! .the company _____ and _____ gave me a horrible deposition. They asked for _____ for rent ,utilities ,late fees and _____ per day until paid off .this in its entirety was a trap, I had already received assistance for my utilities it was acknowledged in a email so it didn't make much sense to pay what was already paid.as far as the other funds the prices kept fluctuating and was not accurate at all creating all kinds of confusion .this led me to believe there is in fact a conspiracy against me . the plaintiff " _____ and it's confidant _____ and _____ would receive a reward after intentionally torturing me with public humiliation and ruining my reputation. I have never had an eviction ever in my life .

I was given a court date in which I had appeared in my own defense as pro per. I automatically filed a counterclaim because this was not the proper jurisdiction to hear an eviction case under 42 USC 1983 color of law , a civil rights case. the entire case was a conflict of interest because they were now apart of the case and would indeed affect the Judge's Judgement so transferring the case to the correct jurisdiction would have made logical sense because it is a civil rights case and the justice of peace holds no jurisdiction in a civil rights case....I had asked for the case to be transferred to the proper jurisdiction which was denied .I then asked for the case to be dismissed due to me not receiving a response to my counterclaim which should have been a default judgment according to rule 116. Every motion I filed was denied which was more reason to believe there is a conspiracy against me.there was clearly favoritism _____ and _____ and Judge _____ are both operating under color of law which is a violation of my due process and a violation of the constitution. Which I had argued in court .

Judge _____ made his judgement in favor of the plaintiff which was entirely biased I was interrupted the whole time and didn't get to answer completely. This was not a fair trial the final documents I had received from Judge _____ ,stated that I appeared with counsel which I did not according to rule 2.3 a judge shall disqualify himself In any proceedings in which a judges impartiality might reasonably be questioned . I would like to know who was the counsel I appeared with if I represented myself pro per ? This is more than enough proof of illegal and unlawful malpractice those documents were tampered with and the biased judgement has ruined me completely. I was kicked out by force and left to sleep in my car in dangerous 117 degree weather with no air conditioner. No place to go ,no shelters, no nothing ,my reputation is ruined completely because I was not given a fair trial in the correct jurisdiction and also because of intentional judicial error on the basis of documents during the trial .I am physically and emotionally traumatized and will never trust anyone of authority again in my life .I will be seeking therapy for my emotional trauma as far as my living situation I don't know if I will ever be able to get a home now and I have never had an eviction. As a first year resident this is by far the worst state I have ever lived in .I have written a petition against illegal and unlawful price gouging here in the state of Arizona. These criminals are preying on low income people and making money on evictions even if the person has a job .not only have they intentionally committed tort against me but for all residents here in Arizona.43,000 people have been Evicted this year alone and this year isn't even over yet there is

something sinister going on and justice needs to be served hundreds of homeless people are dying in this heat .I have suffered from heat exhaustion myself almost leading to a heat stroke I have never experienced this before .I am asking for from each defendant for my pain and suffering . according to the 14th amendment no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States nor shall any state deprive a person of life , liberty, or property with due process. All of my due process has been violated and my life is at risk .I ask the judge in charge of this case to please do the right thing and help me get justice.

Thank you ,

County

Courts, Arizona

Judge

CASE NUMBER:

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

Attorney for Plaintiff(s) Name / Address / Email / Phone

Attorney for Defendant(s) Name / Address / Email / Phone

MOTION TO: DISMISS with prejudice

ORAL ARGUMENT REQUESTED

JCRCP Rule 128

You have the right to file a response to this motion within ten (10) days from the date this motion was served. Your response must be filed with the court and copies of your response must be served to the other parties as provided by Rule 120 of the Justice Courts Rules of Civil Procedure. The court may treat your failure to respond to a motion as your consent that the motion be granted.

I am the Plaintiff Defendant

I would like the court to:

Dismiss the entire case with prejudice

Statement of facts:

- lack of subject-matter jurisdiction
• personal jurisdiction
• improper venue
• conflict of interest

Legal support including Statute or Rule that applies:

42 USC 1983 - Color of law - appearance of "right"
18 USC 241 - conspiracy against rights of due process as Foreign Agents
28 USC 1404 - Change of venue - upon motion, consent, or stipulation of all parties, suit or proceeding of civil nature may be transferred

I state under penalty of perjury that the foregoing is true and correct.

Date: without prejudice
Plaintiff Defendant

I CERTIFY that a copy of this document has been or will be served on to:
Plaintiff at the above address Plaintiff's attorney Defendant at the above address Defendant's attorney
Date: By without prejudice Signature

**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.**