

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-445

Judge:

Complainant:

ORDER

April 12, 2024

The Complainant alleged a justice of the peace should have dismissed the case when the officer failed to appear for a traffic trial.

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 Denise K. Aguilar did not participate in the consideration of this matter.

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

2023-245

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.

THE FIRST CIVIL HEARING WAS SET FOR
at . OFFICER MOTIONED THE COURT TO
CHANGE THE DATE AS HE HAD TO WATCH HIS
CHILDREN OVER BREAK. THE HEARING WAS
POSTPONED TO . I HAD ONLY ASKED
THE COURT TO MOVE THE TIME FROM to
FOR MY SCHOOL BUS JOBS AS WE ARE SHORT DRIVERS.
THE DATE AND TIME WAS SET BY THE
COURT FOR A HEARING ON AT .
I ARRIVED AND SAT IN THE COURTROOM
till MINUTES WITH NO RESPONSE.
THE CLERK TOLD ME THE OFFICER DIDNT SHOW UP
SO I ASKED TO SEE THE JUDGE FOR A DISMISSAL
THE JUDGE DID NOT COME INTO THE COURTROOM BUT
SENT PRO TEMP JUDGE Pro Temp.
SAID HE COULD NOT ANSWER ANY QUESTIONS
OR ACT LIKE A JUDGE. IT WAS NOT HIS CASE.
I COULD NOT ASK FOR A DISMISSAL AT THAT TIME
I LATER ASKED FOR A DISMISSAL BASED ON
NOBODY SHOWING UP TO A TRIAL AND I BELIEVED
A SPEEDY TRIAL WOULD BE IN PROCESS AND DIDNT BELIEVE THAT

I WAS DENIED A MOTION TO DISMISS BUT I
FEEL THAT WAS UNFAIR AS I NEVER CHANGED A COURT DATE
AND SHOWED UP TO AN EMPTY COURTROOM.